

## SENATE

THURSDAY, DECEMBER 2, 1954

(Legislative day of Monday, November 29, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, Thou hast set us to serve the Nation and all mankind in crucial and decisive hours. With a new world emerging from the churning waters which engulf us, help us to be vividly conscious that Thou hast committed as a trust to our hands the great truths that make men free. May our individual lives be more and more the incarnation of the principles which we profess—Thy word made flesh in us for this tortured generation.

Toiling, in Thy world, to serve our fellows, may we lose all sense of dull drudgery and know the gladness of sons doing their Father's will. Grant us sweet reasonableness in all our dealings with our fellow men, and especially with each other in these Halls of state. Keep us from sitting in the seat of the scornful as we remember our own grievous faults and failings. We ask it in the Redeemer's name. Amen.

## THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, December 1, 1954, was dispensed with.

## CREDENTIALS

The VICE PRESIDENT laid before the Senate the credentials of HENRY C. DWORSHAK, Senator-elect from Idaho, and MARGARET CHASE SMITH, Senator-elect from Maine, which were ordered to be placed on file, as follows:

STATE OF IDAHO,  
OFFICE OF THE GOVERNOR,  
Boise, November 22, 1954.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 2d day of November 1954 HENRY C. DWORSHAK was duly chosen by the qualified electors of the State of Idaho a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1955.

Witness: His Excellency, our Governor Jordan, and our seal hereto affixed at Boise, this 22d day of November, in the year of our Lord 1954.

LEN JORDAN,  
Governor.

By the Governor:  
[SEAL]

IRA H. MASTERS,  
Secretary of State.

STATE OF MAINE.

To All Who Shall See These Presents, Greeting:

Know ye, that MARGARET CHASE SMITH, of Skowhegan in the county of Somerset, on the 13th day of September, in the year of our Lord 1954, was chosen by the electors of this

State a United States Senator to represent the State of Maine in the United States Senate for the term of 6 years, beginning on the 3d day of January 1955.

In testimony whereof I have caused the seal of State to be hereunto affixed.

Given under my hand at Augusta the 1st day of December in the year of our Lord 1954, and in the 179th year of the independence of the United States of America.

HAROLD I. GOSS,  
Secretary of State.

By the Governor:  
[SEAL]

BURTON M. CROSS.

## GREETINGS TO THE CONGRESS FROM THE LEGISLATIVE ASSEMBLY OF THE REPUBLIC OF COSTA RICA

Mr. KNOWLAND. Mr. President, while the Senate was in recess a visitor from one of our neighboring countries to the south, Costa Rica, who is a member of the Costa Rican Congress, visited Washington. She came to see me, as the majority leader, and left with me a copy of a certificate which had been presented to her by the Congress of Costa Rica. It is addressed to the Congress of the United States. I ask unanimous consent that it may be printed in the Record at this point as a part of my remarks.

There being no objection, the certificate was ordered to be printed in the Record, as follows:

[Translation (Spanish)]  
No. 74

The Legislative Assembly of the Republic of Costa Rica

Considering that it is of vital importance, for consolidating the unity of all the countries of the American Continent, to strengthen the cultural and political bonds between their peoples; and

Considering that Madam Deputy, the Chairman of the Committee on Public Education of this Assembly, Prof. Maria Teresa de Dengo, is undertaking a good-will tour of a cultural character to several cities of the United States of North America,

Resolves that Madam Deputy, Prof. Maria Teresa de Dengo, be designated to represent this Assembly before the Congress of the United States of North America, with a view to presenting the cordial greetings of the Deputies of the Republic of Costa Rica to those of the great Nation of the North.

To be Published.

Done in the Hall of the Legislative Assembly, National Palace, San Jose, on the 27th day of October 1954.

GONZALO J. FACIO,

President.

MANUEL ANTONIO QUESADA CHACÓN,

First Secretary.

ESTELA QUESADA H.,

Second Secretary.

## COMMITTEE MEETING DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the select committee, consisting of the Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. FERGUSON], to deal with the mail cover matter, may

be permitted to meet during the session of the Senate today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## NOTICE OF COMMITTEE MEETING TOMORROW

Mr. JENNER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet at 9:30 tomorrow morning in the committee room.

## ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

The PRESIDENT pro tempore. Without objection, it is so ordered.

## CALL OF THE ROLL

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

|               |                 |              |
|---------------|-----------------|--------------|
| Abel          | Fulbright       | Martin       |
| Aiken         | George          | McClellan    |
| Anderson      | Gillette        | Millikin     |
| Barrett       | Goldwater       | Monroney     |
| Beall         | Green           | Morse        |
| Bennett       | Hayden          | Mundt        |
| Bridges       | Hendrickson     | Murray       |
| Brown         | Hennings        | Neely        |
| Burke         | Hickenlooper    | O'Mahoney    |
| Bush          | Hill            | Pastore      |
| Butler        | Holland         | Payne        |
| Byrd          | Hruska          | Potter       |
| Carlson       | Humphrey        | Purtell      |
| Case          | Ives            | Robertson    |
| Chavez        | Jackson         | Russell      |
| Clements      | Jenner          | Saltonstall  |
| Cooper        | Johnson, Colo.  | Schoeppel    |
| Cotton        | Johnson, Tex.   | Scott        |
| Daniel, S. C. | Johnston, S. C. | Smith, Maine |
| Daniel, Tex.  | Kefauver        | Smith, N. J. |
| Dirksen       | Kerr            | Sparkman     |
| Douglas       | Kilgore         | Stennis      |
| Duff          | Knowland        | Symington    |
| Dworshak      | Kuchel          | Thye         |
| Eastland      | Langer          | Watkins      |
| Ellender      | Lehman          | Welker       |
| Ervin         | Long            | Williams     |
| Ferguson      | Magnuson        | Young        |
| Flanders      | Malone          |              |
| Frear         | Mansfield       |              |

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORDON] is absent on official business.

The junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

The PRESIDENT pro tempore. A quorum is present.

## PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the VICE PRESIDENT:

Petitions of sundry citizens of the United States, praying for the adoption of Senate Resolution 301, to censure the Senator from Wisconsin [Mr. McCARTHY]; ordered to lie on the table.

A telegram in the nature of a petition from the American Jewish Congress of New York, N. Y., signed by Dr. Israel Goldstein, president, favoring the censure of Senator McCARTHY; ordered to lie on the table.

A telegram in the nature of a petition from Carroll Weldin, of San Diego, Calif., relating to the expulsion from the Senate of Senators MORSE and LANGER if Senator McCARTHY is censured; ordered to lie on the table.

Memorials from sundry citizens and organizations of the United States, remonstrating against the censure of Senator McCARTHY; ordered to lie on the table.

## ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. LEHMAN:

Statement by him concerning former Senator Benton, of Connecticut, together with recent editorials.

By Mr. DWORSHAK:

Address by himself, and letter from Director of the Budget Bureau and from the Commissioner of the United States Civil Service Commission.

By Mr. KEFAUVER:

Statement by him in tribute to Senator HENDRICKSON's work on juvenile delinquency.

By Mr. SMITH of New Jersey:

Statement by him in tribute to the colleagues who are leaving the Senate.

but was never used by it, and from conversation with two members of the committee, I learn that their attention was never called to these matters.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. WELKER. The Gillette subcommittee files contain over 125 pages of photostatic telephone calls. I have in my hand only 21 pages of them. These calls pertain to the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The time of the Senator from Idaho has expired, under the 2-minute rule. If he wishes to continue his remarks, he will have to ask unanimous consent for additional time.

Mr. WELKER. I ask unanimous consent that I may yield to the Senator from Colorado.

The PRESIDENT pro tempore. Is there objection?

Mr. STENNIS. No time limitation is included in the unanimous-consent request.

Mr. WELKER. I ask only sufficient time to answer the question the Senator from Colorado desires to ask. If Senators do not wish me to continue for that purpose, it is agreeable to me.

Mr. STENNIS. I am willing to consent to have the Senator proceed for a reasonable length of time.

Mr. WELKER. If Senators do not wish me to continue, that is all right with me. I merely wanted to answer the question of the Senator from Colorado.

Mr. JOHNSON of Colorado. I can speak for 2 minutes. I should like to use those 2 minutes for the purpose of asking a question of the Senator from Idaho and for the purpose of making an observation.

The PRESIDENT pro tempore. The Senator from Colorado is recognized.

Mr. JOHNSON of Colorado. I wish to say to the Senator from Idaho that I am completely in accord with the purpose of his resolution. I was shocked last night when I heard the Senator from Idaho say that the select committee had been listening in on telephone conversations. If that is what he meant to say, and that is the way I understood him, I want to make it clear that the senior Senator from Colorado never knew and never had heard that the select committee had made any effort or had engaged in listening in on telephonic messages of the Senator from Wisconsin [Mr. McCARTHY], or in connection with any other Senator. That kind of conduct is reprehensible. I want it definitely understood that I had no part in it and no knowledge of it.

Mr. KNOWLAND. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. KNOWLAND. I did not understand the Senator from Idaho to say that the select committee, that is, the Watkins committee, had been listening in on telephone calls.

Mr. WELKER. Oh, no.

Mr. KNOWLAND. I understood that the Watkins committee merely had information that certain checks had been made on calls by the Subcommittee on Privileges and Elections.

## PRICE SPREADS—MILK AND DAIRY PRODUCTS—REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY (S. REPT. NO. 2509)

Mr. AIKEN. Mr. President, from the Committee on Agriculture and Forestry, pursuant to Senate Resolutions 127, 218, and 304, authorizing an investigation of matters relating to agricultural programs, I submit a report entitled "Price Spreads—Milk and Dairy Products."

The VICE PRESIDENT. The report will be received and printed.

## AMENDMENT OF FEDERAL TRADE COMMISSION ACT RELATING TO PROFESSIONAL BASEBALL

Mr. JOHNSON of Colorado. Mr. President, I submit a resolution to amend subsection 5 (a) of the Federal Trade Commission Act (38 Stat. 719, as amended; 15 U. S. C. 45). I may say that the resolution has nothing whatsoever to do with the pending matter.

The PRESIDENT pro tempore. The resolution will be received and printed, and will lie on the table.

The resolution (S. Res. 334) was ordered to lie on the table, as follows:

*Resolved*, That it is the sense of the Senate that subsection 5 (a) of the Federal Trade Commission Act (38 Stat. 719, as amended; 15 U. S. C. 45) should be amended by—

(a) redesignating numbered paragraph (6) thereof as paragraph (7) thereof; and

(b) inserting, immediately after paragraph (5) thereof, the following new paragraph:

"(6) Nothing contained in any of the antitrust acts shall (A) render unlawful any provision of any franchise entered into or granted by the National League of Professional Baseball Clubs, the American League of Professional Baseball Clubs, or the National Association of Professional Baseball Leagues, or (B) make unlawful the enforcement of any provision of any such franchise."

## RESOLUTION OF CENSURE—AMENDMENT

Mr. DANIEL of Texas submitted an amendment intended to be proposed by him to the resolution (S. Res. 301) to censure the junior Senator from Wisconsin, which was ordered to lie on the table and to be printed.

## APPOINTMENT OF A SPECIAL COMMITTEE TO INVESTIGATE TELEPHONE COVERS

Mr. WELKER. Mr. President, I desire to send to the desk a resolution, which I should first like to explain.

I read the resolution, as follows:

*Resolved*, That the senior Senator from Michigan [Mr. FERGUSON] and the senior Senator from Georgia [Mr. GEORGE] are hereby constituted a special committee of the Senate to make a full and complete investigation for the purpose of determining all of the facts with respect to (1) whether or not during any period of time there has been maintained a telephone cover on telephone calls to or from the junior Senator from Wisconsin [Mr. McCARTHY], or from any other Senators, that such telephone cover has been otherwise handled in any special manner and without authorization from the junior Senator from Wisconsin or from any other Senators for the purpose of ascertaining the contents thereof or the identity of persons calling or being called by the junior Senator from Wisconsin; and (2) in the event the committee determines that any such secret reporting of telephone calls has been maintained or that such calls have been so handled, the person or persons responsible therefor, the period during which such telephone cover was maintained or such calls were so handled, and all other matters connected with the maintenance of such telephone cover or the handling of such calls. The committee shall report to the Senate at the earliest practicable date the results of its investigation and shall cease to exist upon the filing of its report.

Sec. 2. (a) The committee is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, and clerical and stenographic assistants as it deems necessary.

(c) The expenses of the committee, which shall not exceed \$2,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the committee.

Before I send the resolution to the desk I should like to say that the material dealing with the telephone cover was subpoenaed by the select committee,



Mr. JOHNSON of Colorado. I did not understand it that way.

Mr. WELKER. In answer to my distinguished friend from Colorado, let me say that I am submitting this resolution for an investigation to be made by our two able colleagues into whether there was a telephone cover. I have never alleged that there was any monitoring of telephone calls. That might be brought out in the investigation. I do not know.

However, I have before me 21 pages of photostats of telephone calls on which someone in the Gillette-Hennings subcommittee reported. There are 125 pages of these photostats, although I have only 21 pages.

Why these calls were not brought to the attention of the select committee, when that committee was ordered by the Senate to seek all the evidence, is what I should like the two distinguished Senators, the Senator from Georgia [Mr. GEORGE] and the Senator from Michigan [Mr. FERGUSON] to find out and to report on to the Senate at the earliest possible convenience.

The PRESIDENT pro tempore. The time of the Senator from Colorado has expired.

Mr. JOHNSON of Colorado. I ask unanimous consent that I may have 1 more minute.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Colorado. I simply wish to say that I understand better now what the charge is. However, with reference to my present understanding of the charge, which has been modified considerably, I should like to say that no one called to my attention these telephonic communications, or reports on them. As a member of the select committee, I listened to all the witnesses who were brought before our committee by the junior Senator from Wisconsin and by everyone else, and at no time was anything said about telephonic communications, either that they were being monitored, or otherwise reported on. I do not recall anything about that. I did not know that any element of this kind was involved in our hearing. So it is quite a revelation to me.

Mr. WELKER. Mr. President, I ask unanimous consent to have not to exceed 1 minute to reply to the Senator from Colorado.

Mr. CASE. Mr. President, reserving the right to object, may I ask the Senator from Idaho if he is making any suggestion that the select committee ever had anything to do with monitoring telephone calls?

Mr. WELKER. No one has ever made such an allegation. I merely stated that the committee had access to files of the Gillette-Hennings committee, and that they were never used. I am not suggesting that the chairman or any other member of the committee knew anything about it. In fact, I asked the committee's able chief counsel, and he stated that he had never heard about it. So I wish to know why it was not brought to the attention of the select committee.

Mr. CASE. Certainly I never heard anything about the monitoring of telephone calls.

Mr. WELKER. Just a moment. I have never said "monitoring."

The PRESIDENT pro tempore. The Senator from Idaho [Mr. WELKER] has requested unanimous consent for 1 minute. Is there objection?

Mr. CASE. Reserving the right to object, the suggestion has been made to me that the select committee was supposed to have been involved in the checking of telephone calls. I want this particular point cleared up, because never to my knowledge was anything ever brought to the attention of the select committee about such checking of telephone calls. Certainly the committee itself had no part in any such operations.

The PRESIDENT pro tempore. Without objection, the Senator from Idaho may proceed.

Mr. WELKER. Mr. President, the only thing I have to say is that I am not charging that my friends on the select committee ever monitored any telephone calls, but I do say that they had in the files the telephone covers from the Gillette subcommittee. If this resolution is agreed to, I want the Senate to be informed why that was not brought to the attention of the members of the select committee.

Mr. AIKEN. Mr. President, will the Senator from Idaho yield?

Mr. WELKER. I yield.

Mr. AIKEN. Does the Senator from Idaho have any reason to believe that the charges made by the Gillette-Hennings committee against the junior Senator from Wisconsin may have been based on information which resulted from the covering of the mail or the recording of telephone calls?

Mr. WELKER. I have no idea why the charges were made. I resigned from that committee. I was in complete disagreement with the manner in which the committee was functioning. I had no desire to serve on it. But I invite attention to the fact that placing a mail cover on the letters or a telephone cover on the telephone calls of a Senator is not the way we do business in my State.

Mr. ERVIN. Mr. President, I think I can answer the question of the Senator from Idaho at this time. The select committee did not have referred to it any question about any mail cover or any monitoring of telephone calls. The select committee took the matters referred to it, reduced them to what it considered to be charges of a substantial nature, and confined the inquiry to the matters which the committee considered to be of a substantial nature and excluded all evidence about anything else.

I never heard anything about the monitoring of telephone calls or mail covers until after this extraordinary session of the Senate was convened. I am satisfied that the other members of the select committee never heard of those matters. I have talked with several members of the committee and they knew nothing about them. The members of the staff inform me that they

had no knowledge of any matters relating to the alleged monitoring of phone calls. If the select committee had spent its time reading all the files available to it, we would have been busy until Gabriel's horn sounded, and we could not have obeyed the command of the Senate to make a report in time to allow the charges against the junior Senator from Wisconsin to be disposed of before the Senate of the 83d Congress adjourned sine die.

Mr. WELKER. Mr. President, I ask unanimous consent that I may have not to exceed 2 minutes to make an observation.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho? The Chair hears none, and the Senator may proceed.

Mr. WELKER. Mr. President, the order which the Senate gave to the select committee is printed on page 1 of part 1 of the hearings before the select committee on Senate Resolution 301. It reads as follows:

*Ordered, That Senate Resolution 301, to censure the Senator from Wisconsin, Mr. McCARTHY, submitted by Senator FLANDERS on July 30, and amendments proposed thereto, be referred to a select committee as provided in the motion set forth below and agreed to by the Senate on Monday, August 2 (legislative day, Friday, July 2), 1954:*

*"Mr. President, I move to refer the pending resolution (S. Res. 301), together with all amendments proposed thereto, to a select committee to be composed of 3 Republicans and 3 Democrats who shall be named by the Vice President: And ordered further, That the committee, which shall be authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, and to take such testimony as it deems advisable, and that the committee be instructed to act and make a report to this body prior to the adjournment sine die of the Senate in the 2d session of the 83d Congress.*

Mr. President, the select committee did subpoena the records of the Gillette-Hennings committee with respect to a telephone cover, and that is why I sent forward my resolution. I am certain that every 1 of the 6 able members of the select committee would want to know why there was a telephone cover as well as a mail cover placed against the junior Senator from Wisconsin. That is not the way to do business in this august body.

The PRESIDENT pro tempore. The Senator from Idaho has asked unanimous consent for the immediate consideration of his resolution.

Mr. KNOWLAND. Mr. President, reserving the right to object, I request my distinguished colleague from Idaho to withhold his request for unanimous consent at this time. I should like to consult with the distinguished Senator from Georgia [Mr. GEORGE] and the distinguished Senator from Michigan [Mr. FERGUSON] as to the progress of their present assignment, prior to the Senate acting on this additional resolution.

Mr. WELKER. I shall be very happy to cooperate. I shall be happy, if the able Senators are too busy, to leave it to

the leadership to appoint two other Senators.

Mr. KNOWLAND. I have already consulted with the distinguished minority leader, and we are both in agreement that we certainly do not want any facts withheld from the Senate. I suggest to the Senator for his consideration that this resolution, when it is considered by the Senate, might be so framed as to read the same as the intent of the prior resolution; that is, where the Senator's resolution says "without authorization from the junior Senator from Wisconsin" that there be added the words "or from any other Senator," and a little further down, where the resolution mentions the junior Senator from Wisconsin, to add "or any other Senator."

Mr. WELKER. I am sorry that I did not put that language in. Certainly no Senator should be subjected to that kind of treatment.

The PRESIDENT pro tempore. The Senate will temporarily pass over consideration of the resolution (S. Res. 333) of the Senator from Idaho.

#### DEATH OF REPRESENTATIVE ROGERS, OF FLORIDA

Mr. HOLLAND. Mr. President, I have spoken with the distinguished majority leader and the distinguished minority leader with reference to the privileged matter to which I desire to refer briefly. I wish the Senate to know that the matter has been cleared by both leaders.

It is my sad duty to announce to the Senate the death of one of my colleagues in the House of Representatives, the Honorable DWIGHT L. ROGERS, late a Representative from the Sixth Congressional District of Florida. Representative ROGERS passed away suddenly last night at Fort Lauderdale, Fla., where he had made his home for many years.

DWIGHT ROGERS was elected to Congress in 1944 as the first Representative of the Sixth Congressional District of Florida, and had been reelected to every subsequent Congress, so that he was the only Representative who, up to this time, has represented the Sixth Congressional District of our State. He has represented that district, its people, our State, and our Nation with very great distinction and outstanding ability.

Personally I feel very great distress in making this announcement because of the most friendly relations between the late Representative and myself. We served together for several years in the Legislature of Florida. Later we have served together in Congress for 8 years. I counted him one of my warmest and most beloved friends. Our wives and our families were very close friends.

My entire family will deeply mourn his passing.

Representative ROGERS possessed a singular charm and courtesy of manner; and I have been greatly impressed this morning by the large number of my colleagues and others in Washington who already have called to express their sympathy and regret, and their very great affection and respect for Representative ROGERS.

He was, in my estimation, a Christian gentleman of the highest type. He was a highly effective Representative. Above and beyond that, Mr. President, he was one of the dearest friends any individual could ever have. I deeply mourn his passing.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I wish to associate myself with all the fine, generous statements which the distinguished senior Senator from Florida has just made about my good friend, DWIGHT ROGERS. I learned of his passing early this morning. The news of his death came as a great shock.

I served in the House with DWIGHT ROGERS for many years. He was a gentle, kindly man—one who had the love and affection of the Members of the House on both sides of the aisle. His passing will be deeply regretted. He was an outstanding public servant, and was deeply devoted to his country.

I shall long remember the hospitality he extended to me when I visited the great State which he in part represented.

He will be missed by all of us who knew him and loved him. Our hearts and our sympathy are with his wife and his beloved family.

Mr. HOLLAND. I thank the distinguished minority leader.

Mr. CASE. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from South Dakota.

Mr. CASE. I, too, served in the House of Representatives for many years with DWIGHT L. ROGERS. I wish to second, in as strong words as I can, the sentiments which have been expressed by the distinguished Senator from Florida and the distinguished Senator from Texas with respect to him.

Representative ROGERS was a kindly man, a just man, and a Christian gentleman in every sense of the word. We did not happen to serve on the same committees; but yet we came to know each other quite well. He had the respect of every Member of the House of Representatives.

He was a great battler for the interests of the veterans, and a strong champion of the common people. He had a fine sense of justice and fairness. He never compromised his principles, but fought for them with zeal, courtesy, and dignity.

The death of Representative ROGERS is a great loss to the House of Representatives and to the Nation.

Mr. HOLLAND. I thank the Senator from South Dakota.

Mr. CARLSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Kansas.

Mr. CARLSON. I would not like to let this opportunity pass without expressing sincere regret upon the sudden and untimely death of Representative DWIGHT ROGERS. It happened that Representative ROGERS and his wife lived in the same hotel in which Mrs. Carlson and I reside. We had the opportunity to meet with one another frequently. I

had the privilege of serving with him in the House of Representatives. Therefore, our associations have been very close.

As the junior Senator from South Dakota has just stated, Representative ROGERS was an outstanding gentleman, a devoted Christian, and an exemplary citizen of this country.

Personally, I feel that Mrs. Carlson and I have suffered a great loss. In his departure, I know that the great State of Florida and the Nation as a whole have suffered a real loss.

Mr. HOLLAND. I thank the distinguished Senator from Kansas.

Mr. ERVIN. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from North Carolina.

Mr. ERVIN. I share the sorrow of the Senator from Florida and the people of Florida in the passing of DWIGHT ROGERS. I shall always consider it to have been one of the rare privileges of my life to have served with him for a time in the 79th Congress. He was a patriotic American, and was also, in the finest sense of the term, a Christian gentleman.

I share the sorrow of his beloved family, of his friends, and the State of Florida, in his passing.

Mr. HOLLAND. I thank the distinguished Senator from North Carolina.

Mr. STENNIS. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Mississippi.

Mr. STENNIS. I certainly share the sentiments expressed by other Senators, which I know are so very sincere, and the grief, which is so very deep, sustained by the Senator from Florida in the passing of Representative ROGERS.

As one who did not have the privilege of serving with Representative ROGERS in the House, but who had known him for several years, I greatly admired his fine Christian character, his genial personality, and his great sincerity in representing the people of his district whom he served in Congress. I know of his great interest in the veterans, and of his untiring work in matters affecting them.

To his family, his friends, and his great State of Florida, I extend my most sincere sympathy upon the loss of this distinguished Representative, with a record which marked him as a statesman.

Mr. HOLLAND. I thank the distinguished Senator.

Mr. ROBERTSON. Mr. President, will the Senator from Florida yield?

Mr. HOLLAND. I yield to the distinguished Senator from Virginia.

Mr. ROBERTSON. I share the regret expressed by the distinguished Senator from Florida upon the untimely death of his colleague from the Fort Lauderdale district of Florida. I had the pleasure and privilege of serving in the House of Representatives with Representative ROGERS for 2 years. After I came to the Senate, I frequently saw him as he would come over to the Senate to consult with his Florida colleagues.

Representative ROGERS, a man of sterling character and outstanding ability,



was dedicated to the promotion of the welfare of his district, of his great State, and of our great Nation. We have lost a very valuable Member of the House.

I share the distress which I know is felt among all his constituents, from whom he has been taken away.

Mr. HOLLAND. I thank the Senator from Virginia.

Mr. SYMINGTON. Mr. President, I join with my colleagues in expressing deep regret at the death of DWIGHT ROGERS. Dwight was one of the best friends I had in Washington. He and I had many happy hours together. I extend to his family my deepest sympathy.

Mr. HOLLAND. I thank the distinguished Senator from Missouri for his statement.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield to the distinguished Senator from Georgia.

Mr. RUSSELL. Mr. President, I desire to pay my respects and to associate myself with the tributes which have been paid to the late Representative DWIGHT ROGERS. Mr. ROGERS was born and reared in my State of Georgia, and practiced law in Ocilla, Ga., for a number of years. He had been my friend since we both reached maturity. I mourn his passing. He was an able Representative in Congress, diligent in his service to the people, and devoted to the well-being and the interests of this great land of ours.

DWIGHT ROGERS was a successful Representative. He sponsored many important legislative measures which bear his name. His death will be mourned in Georgia as it will be in Florida. I extend my sympathy to his family. I mourn his passing as a personal friend.

Mr. HOLLAND. I thank the distinguished Senator from Georgia for his kind remarks.

Mr. President, I have sent forward to the desk a privileged resolution, which I ask to have considered and adopted at this time.

The PRESIDENT pro tempore. The clerk will read the resolution.

The legislative clerk read the resolution (S. Res. 335), as follows:

*Resolved*, That the Senate has heard with profound sorrow the announcement of the death of Hon. DWIGHT L. ROGERS, late a Representative from the State of Florida.

*Resolved*, That a committee of two Senators be appointed by the President of the Senate to attend the funeral of the deceased Representative.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives when it next assembles, and transmit a copy thereof to the family of the deceased.

*Resolved*, That as a further mark of respect to the memory of the deceased Representative the Senate, at the conclusion of its business today, do adjourn.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and unanimously agreed to.

The PRESIDENT pro tempore. Under the second resolving clause of the resolution the Chair appoints the two distinguished Senators from Florida [Mr. HOLLAND and Mr. SMATHERS] as the

committee on the part of the Senate to attend the funeral of the deceased Representative.

#### RESOLUTION OF CENSURE

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 301) to censure the junior Senator from Wisconsin.

The PRESIDENT pro tempore. The question is on agreeing to section 2 of the amendment reported by the select committee.

Mr. JENNER. Mr. President—

The PRESIDENT pro tempore. The Senator from Indiana is recognized.

Mr. JENNER. Mr. President, I move to strike out, on page 2, the following language commencing in line 12:

Thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government.

The PRESIDENT pro tempore. The Senator from Indiana has 30 minutes. How much of that time does he allot to himself?

Mr. JENNER. Mr. President, I allot myself 20 minutes.

Mr. President, the Communist plan of attack on the United States is a brilliant series of apparently small moves, each of which is carefully chosen because it pulverizes a small bit of the structure on which our sovereignty as a Nation rests.

The Communist Party, Communist fronts, Communist penetration of Government, of finance, of education and religious bodies, labor and business, Communist activities in both political parties and in local congressional districts, Communist writing, and Communist censorship of anti-Communist writers, movie actors, scenario writers, television commentators, Communist sabotage of our victory in Korea, brain washing of our POW's, Stockholm peace petitions, and the subtle drive for coexistence, are all parts of one thing—continuous mining, beneath the surface, of American sovereignty until the area of destruction is wide enough so the whole structure will come crashing down.

The difference between active anti-Communists and those who think "it can't happen here" is that the first group recognizes each of these various steps as related to a single dominant end, as a military commander sees each move in wartime as a part of a tightly knit campaign.

Every step taken by Communist servants of the Kremlin, and their allies and dupes, is an attack on our ability to defend ourselves, as truly as if the enemy held a gun to the backs of our fighting men and pulled the trigger.

May I have order, Mr. President?

The PRESIDENT pro tempore. The Senate will be in order.

Mr. JENNER. If the judges are not interested, and if the jury is not interested, I certainly do not mind, but I should like to have order.

The PRESIDENT pro tempore. The Senate will be in order. Senators will take their seats. Persons in the rear of

the Chamber will refrain from conversation or they will be removed from the Chamber. The occupants of the galleries will be in order.

Mr. JENNER. Mr. President, I would not like to have the time taken in seeking order charged to me.

In the world in which we live today, what I have just indicated is the shape of war—the only shape it is likely to have.

Field Marshal Montgomery recently said that cold war is real war, and we must either win or lose it.

In all this land of ours, I believe the heaviest responsibility for resisting the fifth column by orderly means falls on the Congress.

The English-speaking people have a deep distrust of star-chamber proceedings. They do not want their government to have arbitrary power, not even in times of danger. The English fought a bitter civil war, lasting in all nearly 50 years, to establish the sole responsibility of the parliament for the definition of crimes. Our Constitution is the fulfillment of the revolution which ended the Stuart rebellion by firmly establishing the role of the legislative branch.

Mr. President, the Communist threat to our country today will never be met by the measures we are taking today. It cannot be met by the state of mind we are living in today. The threat can be met only if all the Members of our Congress who hate the Communist debauchery of human values will rise up and help in overcoming the danger, while we can still overcome it by orderly political and legal means.

The duty of exposing communism and uprooting it by legal process does not rest on the Internal Security Subcommittee of the Senate Judiciary Committee, or on the Subcommittee on Investigations of the Committee on Government Operations, or on the House Committee on Un-American Activities, or on all of them combined. The duty of exposing communism and tearing out every tentacle of its power by truly American means rests on us, the Members of the Senate, and also on the Members of the other House of Congress. We cannot win unless all anti-Communists are united.

I ask you to look, Mr. President, at how the Communists have disrupted the official business of this body. An important subcommittee has been inoperative since last March. The Subcommittee on Investigations has made no investigations. Its work has been suspended. Its staff has been scattered to the four winds. Funds given for investigation of malfeasance in office have been used for investigation of its own chairman, at the instigation of a minor official in the Department of Defense and certain newspapermen. Many cases of probable fifth-amendment Communists would have been heard months ago. Instead, these people are still working in defense industries.

This is a question of national security. The shutting-down of a Senate subcommittee is not the business of individual Senators, Mr. President. It is the business of the Senate.

Perhaps you hesitate to believe, Mr. President, that the business of the Senate has been hamstrung by the Daily Worker and its allies. Do you know that in every session now, for at least 7 years, someone—or something—in an effort to help the Communists, has been interfering with the proper work of this body?

The first chapter of our story begins in March 1947, when President Truman issued his loyalty order. This order had two important effects. It took the practical handling of loyalty procedures from the agencies, and centralized it under control of the palace guard. Hidden in it was a secrecy order which clamped down a rigid censorship on public records of civilian agencies, and put an iron curtain to bar Congress from investigating Communists. This story is developed in detail in the minority views on the Maryland election of 1950.

The Communists did not like the makeup of the Congress which was elected in 1946. They were taking no chances with what it might unearth. They decided it must not be allowed to unearth anything. How they persuaded good patriotic Americans to help them, I do not know. That is one of the things we must find out.

The 80th Congress found plenty, in spite of the iron curtain. The Communists decided to smear it. With the overwhelming victory of 1948, they thought their work was done. But in 1950, Senator McCARTHY, in his speech at Wheeling, ripped away the curtain which hid the facts of communism in the State Department. Do you remember the uproar, Mr. President? The chain reaction has continued ever since.

After all the efforts to silence Senator McCARTHY had failed, Senator Tydings and his subcommittee were authorized to investigate the evidence of communism in our Government. Instead, Senator Tydings said to Senator McCARTHY, when he tried to testify:

So far as I am concerned in this committee, you are going to get one of the most complete investigations ever given in the history of the Republic, so far as my abilities permit.

Mr. President, I wish to show the Senate the chain reaction which has been going on for years to "get McCARTHY." He is only a symbol. Who will be next? I will tell you, Mr. President: Any man who stands up and fights communism will be next.

This is the standard technique of investigating those who dare to investigate communism.

Next, the Subcommittee on Privileges and Elections investigated the Maryland election of 1950, although Senator Tydings said his defeat was due to the split within his party in his State. After taking 1,200 pages of testimony, including some rather lurid charges, the subcommittee concluded there was no violation of Federal or State election laws. The subcommittee had been used as a forum for continuing Senator Tydings' attack on the junior Senator from Wisconsin. Oh, Mr. President, there is always something else.

Mr. President, may we have order in the Chamber? I have a sore throat, and it is difficult for me to talk.

The PRESIDING OFFICER (Mr. KUCHEL in the chair). Let there be order in the Chamber and also in the galleries.

Mr. JENNER. Mr. President, I ask unanimous consent that the time taken by these interruptions shall not be charged to the time available to me. Instead, I should like to have that time saved to me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JENNER. Next, Mr. President, came the Benton resolution, to investigate the financial practices of the Senator the Communists hated so much. We have the resignation of Senator WELKER and two staff members of the subcommittee as proof that its investigators were determined to "get" Senator McCARTHY, whether there was evidence or not.

Yet, Mr. President, this morning, although the minds of the judges in this case are closed, there is evidence, and there are committees working to find the truth. Why? Because certain things took place.

Mr. President, the people of Connecticut censured Senator Benton.

The Rules and Administration Committee of the Senate failed to accept the report of the Gillette subcommittee. Mr. President, have you ever thought of that? It seems most strange to me that the select committee found reason to republish 400 pages of this thoroughly repudiated report and all exhibits dealing with the finances of the junior Senator from Wisconsin, although the Treasury and the Justice Department had investigated them and found no wrongdoing. The letter of Attorney General Brownell to that effect is in the RECORD; I put it there. So, Mr. President, let me ask you, What goes on here?

Also, the select committee had said the content of the Gillette subcommittee investigation was no part of their assignment.

I am curious to know what the people of the United States will be compelled to pay for reprinting 400 pages of a report which the parent Committee on Rules and Administration did not accept, while the Subcommittee on Investigations is dismissing its staff for lack of funds and Communists remain untouched in defense plants.

O Mr. President, the other day I said—but the Senate did not listen—that the select committee did not bring in a true bill because it did not look behind the curtain of the Communist conspiracy to destroy a man who is fighting communism. Until that is made clear, the vote on the pending censure resolution will mean nothing.

When the Benton resolution failed, Mr. President, a hidden steering group apparently planned the charges which led to the Mundt investigation. These operations never end, Mr. President; and on came the Mundt investigation.

When the Mundt inquiry found no reason to silence the Senator from Wis-

consin, the same group planned the censure resolution. It never ends. On came the Mundt investigation. When the Mundt inquiry found no reason to silence the junior Senator from Wisconsin, this same group planned the censure resolution.

I repeat, this is the business of the Senate.

Each of these apparently separate investigations is a part of one chain of investigations, which has been directed at the Senator from Wisconsin since he broke through the iron curtain over Communists in the executive branch, set up by the loyalty order and the secrecy directive of 1947.

Does anybody still doubt what is back of all these bits and pieces?

Let us check another way. Do we have any evidence of the censure of other committee chairmen for their methods?

After the 1929 crash there was an investigation by Senator Fletcher of financial practices. A midget was set upon the lap of the late J. P. Morgan. The committee counsel, Ferdinand Pecora, met newspapermen twice daily, to make headlines against witnesses even before they appeared. Senator Fletcher was not censured.

There was an investigation of alleged violations of civil liberties, headed by the late Senator La Follette. Its chief counsel was the Communist, John Abt. Its investigators included the Communist, Charles Kramer, and other comrades, some of whom have only recently taken refuge behind the fifth amendment before our committee.

It established a record for browbeating witnesses, one such being a minister of the Gospel, whose plea that he be treated with common decency was laughed away. Senator La Follette was not censured.

There was an investigation of utility companies, which investigation was headed by Senator Black. It invaded every telegraph office in Washington to seize private telegrams, willy-nilly, in the hope that something evidential might turn up. That was similar to the present mail cover, and similar to the telephone cover. Senator Black was not censured.

He was rewarded by promotion to the United States Supreme Court to liberalize that body.

Senator Connally made the bitterest kind of personal attack on the late Senator Taft, as already reported in these debates. There was not a Senator on either side of the aisle who was not ashamed of it.

Yesterday the Senator from Illinois [Mr. DIRKSEN] gave many examples. We could go on forever, but we have not the time.

Senator Connally was not censured. The Senator from New York [Mr. LEHMAN] made a speech in Wisconsin in which he declared that those who dared support the Senator from Wisconsin were the kind of people who, in his own words—

Stamp ruthlessly underfoot all standards of morality, believe in Iron Curtains, seek to return to the days of the poorhouse, and are the agents of a simple Soviet scheme.



The Senator from New York was not censured.

The PRESIDING OFFICER. The Chair announces that the 20 minutes which the Senator from Indiana allotted to himself have expired.

Mr. JENNER. Mr. President, I do not like to disagree with the Chair, but as I looked at the clock, I began about 8 minutes after 11. There were two interruptions, which were not supposed to come out of my time. I estimate that I have been speaking for about 15 minutes.

The PRESIDING OFFICER. The Chair advises the Senator that the Parliamentarian has allocated additional time to the Senator to compensate for the interruptions. The Chair therefore reiterates that the 20 minutes which the Senator originally allotted to himself have expired.

Mr. WELKER. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. JENNER. I am glad to yield, provided I do not lose my right to the floor, and provided the interruption is not taken out of my time.

Mr. WELKER. Mr. President, may I ask what clock the Parliamentarian is using?

The PRESIDING OFFICER. The Chair—

Mr. JENNER. I should like to be able to conclude in 30 minutes. If I must offer further amendments or make additional motions, I shall do so. However, I do not wish to take up too much of the time of the Senate.

The PRESIDING OFFICER. The Chair advises the Senator from Idaho that the clock facing the podium is the clock which the Parliamentarian has used.

Mr. JENNER. As I have stated the Senator from New York [Mr. LEHMAN] was not censured.

The Senator from Vermont [Mr. FLANDERS] made a speech in which, by innuendo and demagogic arrangement of questions, he circulated the most unspeakable and baseless slander against Roy Cohn and David Schine.

The Senator from Vermont was not censured. What is this, Mr. President? Is it McCarthy day at the Capitol?

Mr. President, the charges which furnish the basis for the motion of censure against Senator McCARTHY emanated originally from Senator FLANDERS, of Vermont.

Since these charges are a part of a long chain of attacks, on anti-Communist leaders in Congress, it is important to know whether the Senator from Vermont approaches this question with clean hands.

I ask the Senator from Vermont:

First. Are you willing to tell the Senate of the United States what have been your relations with Owen Lattimore during the past 10 years?

Mr. FLANDERS. Mr. President, may I say—

Mr. JENNER. Not on my time. The select committee has 30 minutes. The Senator may not speak on my time.

Mr. FLANDERS. I should like to answer the question which has been asked.

Mr. JENNER. I have several questions. The Senator can answer them all.

Mr. WELKER. They should be answered before the vote.

Mr. JENNER. Oh, yes. I should like to have them answered before the vote. I have some further questions:

Second. Are you willing to place in the hands of the Senate your entire correspondence with Owen Lattimore?

Third. Did you ever discuss the question of censure or disciplinary action against Senator McCARTHY with Owen Lattimore?

Fourth. Are you willing to tell the Senate of the United States whether you were associated with Owen Lattimore in support of the campaign for a coalition government including the Communists in China?

Fifth. William L. Holland, secretary-general of the Institute of Pacific Relations said, on October 10, 1951, that you were an active member of the Institute of Pacific Relations, attended its meetings, and contributed to its budget. Is this correct?

Frederick Vanderbilt Field, a leading writer for the Communist press, was active as a member of the American Institute of Pacific Relations and a member of its executive committee during this period, and Owen Lattimore was its editor of Pacific affairs.

Sixth. The 1952 report of the Senate Internal Security Subcommittee found that—

The IPR has been considered by the American Communist Party and by Soviet officials as an instrument of Communist policy, propaganda, and military intelligence.

Did you make any efforts to repudiate the Institute of Pacific Relations or to dissociate yourself therefrom after this finding?

The next question I wish to ask this man whose hands are so clean is as follows:

Seventh. Will you state to the United States Senate whether or not you had associations with Harry Dexter White, Harold Glasser, and V. Frank Coe in connection with the Morgenthau plan for Germany?

The VICE PRESIDENT. The Chair announces that the Parliamentarian has discovered that an error was made in computing the time of the Senator.

Mr. JENNER. I thought so.

The VICE PRESIDENT. For the information of the Senator, the Chair will state that at this point he has 10 minutes remaining.

Mr. JENNER. I thank the Chair very much.

Three years ago, in late June 1951, the Soviet delegate to the United Nations, Jacob Malik, climaxed a carefully planned Soviet propaganda campaign with his appeal for cease-fire in Korea.

Now we know the peace campaign was inaugurated by the Soviet leaders, because the Red forces in Korea had been defeated, and the Communists hoped to win back, by peaceful coexistence, what they could not win by fighting.

A peace resolution was introduced by the senior Senator from Colorado [Mr. JOHNSON].

It proposed the peace terms which the Soviet delegates had proposed in the U. N.

These were, first, withdrawal of all foreign troops from Korea; and, second, self-determination for small nations.

This perfect setup for the fifth column was the scheme the Communists used in China and Poland. It is the scheme they so recently used in Vietnam.

The Johnson resolution was sent all over the United States, to women's groups, churches, editors, and the families of men in Korea. Many Members of this body received letters from innocent, loyal Americans, including sorrowing relatives of our men, referring to this peace resolution.

I am sure the Senator who sponsored this resolution had not the faintest idea he was innocently doing exactly what the Communists in Moscow wanted.

But, as I said, the effect is no less serious because the Senator was unaware of their intention.

When the name of a distinguished Member of this body can be attached to an appeal for the Stockholm peace proposal in American dress, when it can be circulated throughout the country to delude innocent and unhappy people, then we are all concerned in the danger.

Three years have gone by, but the Senator from Colorado has not been censured.

Recently we called as a witness before the Internal Security Subcommittee one Palmer Weber, a fifth-amendment Communist.

Mr. Weber had been on the staff of the House Committee on Internal Migration and the Senate Subcommittee on Technical Mobilization.

But I received communications from a Senator, saying Weber was a good man and requesting that no action be taken to interrogate him, though he had been perverting the Senate's power of investigation to Communist ends.

This Senator was not censured.

I ask: Is censure something directed against all Senators on an equal basis, or is it something meant only to punish the Senator from Wisconsin because he fights Communists?

I have tried to show the series of campaigns carried on, with singular unity of aims and tactics, against a Senator who exposed Communists whom a group within the White House and the State Department was seeking to hide.

I have tried to show that these strange investigations were all parts of a chain reaction, which began with the President's secrecy directive of 1947, designed to hamstring congressional investigations, and was carried to committee after committee by fuses we could not see.

On November 15, I urged that the Senate plan a counterattack against the Communist invasion, and I proposed several steps which would give us the information and the laws we need.

Today, I propose that the subcommittee make a thorough investigation of this diversion of the senatorial power of investigation to punish, not Communists in Government, but Senators who dare investigate communism.

The select committee has failed to consider the evidence that all the organized attacks on the Senator from Wisconsin, including the Benton plan for

investigation of his finances, by the Gillette subcommittee, were a part of a chain of events directed by hidden agents to protect Communists and their collaborators in Government, in spite of Congress.

Let us dispose of this censure resolution.

Let us get back to the proper business of the Senate.

Let all good Americans in this body join together to eradicate every iota of Communist influence on lawmaking.

Then we can give the American people the legal instruments they need to safeguard our country against its Communist enemies and preserve its liberty for the generations to come.

Mr. JOHNSON of Colorado subsequently said: Mr. President, I am informed that earlier today, in the course of the debate, the junior Senator from Indiana [Mr. JENNER] made some references to a resolution I submitted. Although I have not read his remarks, I understand there was some thought that the resolution might have been influenced by the Communists or leftwingers or fellow travelers, or someone of that sort.

I am not making a defense against the charges, Mr. President. In all kindness, I say that one does not make a defense against the remarks of the very able and distinguished junior Senator from Indiana; instead, one uses an umbrella.

But I think the Senate and the country are entitled to know something about the resolution. Therefore, I ask unanimous consent that it may be inserted in the body of the RECORD, following the remarks of the Senator from Indiana; and that what I now say may also appear in the RECORD at that point.

The VICE PRESIDENT. Is there objection?

There being no objection, the resolution (S. Res. 140, 82d Cong., 1st sess.) was ordered to be printed in the RECORD, as follows:

Whereas to permit civilization to be destroyed by world war III is utter insanity and unworthy of the men of this century; and

Whereas the Korean war has every appearance of being a hopeless conflict of attrition and indecisiveness and a breeder of bitter racial hatreds; and

Whereas a limited war, like a limited or smoldering fire, is gravely dangerous, for it may burst forth into a worldwide conflagration at any moment; and

Whereas the North and South Koreans, the Chinese, and the United Nations have suffered more than 1 million casualties, with the only tangible result, so far, the indescribable misery which has been heaped upon the Korean people; and

Whereas tremendous strides have been made in the development of hitherto unused lethal and destructive weapons of war with potentials of unbelievable fury and horror; and

Whereas by slaughtering additional millions of humans an uneasy peace might in time be forced upon the vanquished; and

Whereas the people of the United States traditionally have held the people of China in the highest esteem and affection and still do; and

Whereas the people of the United States have long recognized the wisdom of the principles of the Monroe Doctrine so eloquently

portrayed by the slogan "Asia for Asiatics" if it were to be applied to Asia; and

Whereas it has long been the policy of the American people that no nation should seek to extend its form of government over any other nation or people, but that as an inherent right every people should be left free to determine its own form of government and its own way of life, unhindered, unthreatened, unafraid—the little along with the great and the powerful; and

Whereas the traditional policy and desire of the people of the United States of America is now and has been a just and enduring peace; and

Whereas it is never too early for God-fearing and peace-loving peoples to earnestly endeavor to stop needless human slaughter: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United Nations call upon all nations and all groups now engaged in the war in Korea to cease-fire and declare an armistice effective at 4 antemeridian (Korean time) June 25, 1951; and that prior thereto the United Nations forces retire to points south and the opposing forces retire to points north of the 38th parallel; and that before December 31, 1951, all prisoners of the Korean war shall be exchanged and all non-Korean persons, military and nonmilitary (except the ordinary diplomatic representatives), shall depart from North and South Korea.

Mr. JOHNSON of Colorado. Mr. President, let me say there is no secret about my position with respect to the war in Korea. Right or wrong, I was opposed to it from the very first, and I said so. After General MacArthur returned to the United States and made his report to the Congress, I said many, many times that I thought our policy in Korea should be either all out or get out.

I saw that statement published a good many times. I think I am the author of the statement.

That was my general position. On May 17, 1951, as we approached the first anniversary of our entrance into the war in Korea, I submitted a resolution. My resolution was addressed to the United Nations, and suggested to the United Nations that an armistice be declared on June 25, 1951, which was the first anniversary of the war in Korea.

I do not wish to argue the point as to whether that resolution was a wise resolution or a very foolish one. So far as influence is concerned, I wish to say that it was drafted by myself. I consulted no one other than my own conscience. No one suggested to me that I draft such a resolution. I did not talk with any of my colleagues. I simply went ahead and put my own thinking into the resolution.

On May 25 I was interviewed by a very well-known newspaperman, Mr. Frank Bourgholtzer, who is the White House correspondent of the National Broadcasting Co., with respect to my resolution. He asked me a long series of questions with respect to the reasons why I had submitted the resolution, and what its purposes might be. I answered his questions on the radio, and inserted a transcript of the questions and answers in the CONGRESSIONAL RECORD.

I now ask unanimous consent to have those questions and answers printed in the RECORD at this point as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### CEASE FIRE IN KOREA

(Pro and Con program on National Broadcasting Co. Washington radio station WRC, 10:45 p. m. to 11 p. m., May 25, 1951, Frank Bourgholtzer, White House NBC correspondent, interrogator; EDWIN C. JOHNSON, United States Senator, of Colorado, being questioned)

Question. Korea and what to do about her still dominates the news. Last week Senator EDWIN C. JOHNSON, Democrat, Colorado, offered a Senate resolution calling upon the United Nations to promulgate a cease-fire order effective 4 a. m. June 25, 1951, the first anniversary of the beginning of hostilities there. Senator JOHNSON is here in the studio with me and I shall start Pro and Con off with this question: Why did you propose a cease-fire order by U. N.?

Answer. There are many reasons for the resolution, but the facts developed by the testimony of the MacArthur hearing convinced me that a cease-fire order now is not only timely but is the only way out.

Question. What facts, Senator?

Answer. General MacArthur indicated that only a madman would undertake a war on the mainland of China. In other words, he, too, is against an all-out war in China. When General Bradley took the witness stand he made it clear that in the administration's opinion a Chinese war would be the wrong war, at the wrong time, in the wrong place, with the wrong enemy. Hence, both sides in the "great debate" veto an all-out war with China. But the facts are that China and the United States have been at war many months. Last week we claimed we killed and wounded 70,000 Chinese soldiers, and we admitted that we suffered severe casualties ourselves.

I believe that our generals are correct when they say "War with China would be madness," and when they say it would be "the wrong war, in the wrong place, at the wrong time, with the wrong enemy." In my opinion there is no way to keep the limited war with China from developing into a full-scale war with China. The logical thing to do, therefore, is for the United Nations to stop the terrible slaughter in Korea before it matures into a full-scale war with China, which it must do unless it is stopped.

Question. Are you suggesting that General MacArthur and the administration are in agreement on the Chinese war?

Answer. Oh, no. There are areas of disagreement, but the areas of agreement are far greater than the areas of disagreement between these opposing factions. As I understand their positions, the administration advocates a more limited war than does General MacArthur. Their difference is one of degree. Both appear to believe that a general war with China would be a major catastrophe and that world war III would rock the very foundations of civilization. The best way I know to stop the impending all-out war with China and impending world war III is for the United Nations to stop the so-called limited war between the Allies and China now. During the past 3 years the world's foremost statesman, Winston Churchill, repeatedly has urged negotiating small wars for the best possible peace which can be obtained. It is his contention that sooner or later small wars are certain to lead to a big war.

Question. Just what are the terms of your resolution, Senator?

Answer. Perhaps I should read it. It is not very long, and it is full of meat.



In Senate Resolution 140, submitted in the Senate May 17, I list 11 reasons for its enactment, as follows:

First, to permit civilization to be destroyed by world war III is utter insanity and unworthy of the men of this century.

Second, the Korean war has every appearance of being a hopeless conflict of attrition and indecisiveness and a breeder of bitter racial hatreds.

Third, a limited war, like a limited or smoldering fire, is gravely dangerous, for it may burst forth into a world-wide conflagration at any moment.

Fourth, the North and South Koreans, the Chinese, and the United Nations have suffered more than 1,000,000 casualties, with the only tangible result, so far, the indescribable misery which has been heaped upon the Korean people.

Fifth, tremendous strides have been made in the development of hitherto unused lethal and destructive weapons of war with potentials of unbelievable fury and horror.

Sixth, by slaughtering additional millions of humans an uneasy peace might in time be forced upon the vanquished.

Seventh, the people of the United States traditionally have held the people of China in the highest esteem and affection and still do.

Eighth, the people of the United States have long recognized the wisdom of the principles of the Monroe Doctrine so eloquently portrayed by the slogan "Asia for Asiatics" if it were to be applied to Asia.

Ninth, it has long been the policy of the American people that no nation should seek to extend its form of government over any other nation or people, but that as an inherent right every people should be left free to determine its own form of government and its own way of life, unhindered, unthreatened, unafraid—the little along with the great and the powerful.

Tenth, the traditional policy and desire of the people of the United States of America is now and has been a just and enduring peace; and

Eleventh, it is never too early for God-fearing and peace-loving peoples to earnestly endeavor to stop needless human slaughter.

"Now, therefore, be it

*Resolved*, That it is the sense of the Senate that the United Nations call upon all nations and all groups now engaged in the war in Korea to cease fire and declare an armistice effective at 4 a. m. (Korean time), June 25, 1951; and that prior thereto the United Nations forces retire to points south and the opposing forces retire to points north of the 38th parallel; and that before December 31, 1951, all prisoners of the Korean war shall be exchanged and all non-Korean persons, military and nonmilitary (except the ordinary diplomatic representatives), shall depart from North and South Korea."

Question. What does the State Department think of your resolution?

Answer. I do not know. I have not asked them, but I am certain that the State Department above everything else wants peace in the world.

Question. What groups in this country suggested the introduction of Senate Resolution 140?

Answer. No groups suggested it. None were consulted. However, I hope that church groups, women's clubs, organized labor groups, luncheon clubs, and many other alert organizations devoted to the public interest and a peaceful world will demand prompt action on it.

Question. Do you regard this resolution a partisan political issue?

Answer. Indeed I do not. It is the hottest issue in the United States today, but it is not partisan. Every responsible political party and every responsible political leader in the United States should and does want

to stop the war in Korea at the earliest possible hour. No political party in the United States is a war party. Certainly I have no personal political ambition or design myself.

Question. What about the newspapers?

Answer. Most of them have shied away from the issue which my resolution presents as though it were a hot potato. The Denver Post, the largest newspaper in the Rocky Mountain empire, has castigated me as a defeatist, an isolationist, and an appeaser, but support from the Colorado people has been tremendous which proves that, while they read the Denver Post, they do their own thinking and want the conflict in Korea settled now.

Question. Have any Senators joined you in sponsoring this resolution?

Answer. I did not ask any Senator to join me, nor did I consult any Senator with respect to it. I introduced it strictly on my own. I thought it up all by myself. However, multiplied millions of people in the United States and all over the world long for peace and so I know that any equitable, realistic, and sincere peace proposal would find countless supporters all over the world. The affair in Korea has the whole world on edge.

General Ridgway, commanding general of Korea, in a recent letter to his church wrote:

"Hundreds of thousands of poor people, the old, infirm, infants, the sick, fleeing night and day across country over the ice of frozen streams, in temperatures at zero, no shelter at night but that obtained from huddling together and from such of their belongings as are on their backs or ox or small two-wheeled cart—would to God the American people might see a full-length movie of current events here in their true setting."

When General MacArthur testified recently before the Senate committee, he said: "The war in Korea has already almost destroyed that nation of 30 million people. I have never seen such devastation. I shrink with a horror that I cannot express in words, at this continuous slaughter in Korea. I have seen, I guess, as much blood and disaster as any living man, and it just curdled my stomach the last time I was there. After I looked at that wreckage and those thousands of women and children and everything, I vomited. If you go on you are going to destroy that people. I think we should make some extraordinary effort to bring it to an end."

Question. It is said that Russian newspapers gave your cease-fire proposal considerable attention. Is that bad news?

Answer. No, indeed, that is good news. Peace is not a one-way street. There can be no peace in the world unless Russia agrees to it. If Russia would cooperate with the peace-loving people of the world, we could have world peace and world prosperity right now. So if Russia is interested in establishing peace in Korea, the battle is half won.

Question. Does your resolution appease the Communists?

Answer. Of course it does not. There is not one word of appeasement in it. Senate Resolution 140 turns Korea back to the Koreans. Under its terms every people other than the Koreans get out by next New Year's day. The United States wants nothing in Korea except the happiness and prosperity of the Korean people.

Senator Duff, in a commencement address at Carson College in Jefferson City in Tennessee, said:

"Unless we are dealing with complete madmen in Russia, there must surely be some avenue whereby it will be possible to discuss seriously and sincerely methods to adjust the misunderstandings on some other basis than by destroying civilization itself."

Question. Will it not prove very difficult for the U. N. to negotiate an armistice now?

Answer. Korea is a testing ground for negotiating peace. If we cannot settle this conflict where the conditions now are so ripe for settlement, we must confess impotency to negotiate peace anywhere. If we wait for an unconditional surrender before we start developing peace terms, we better start preparing for a hundred years' war. Men of good will, Korea is the testing ground of U. N.'s capacity to negotiate peace. Dorothy Thompson, in one of her recent columns, wrote this:

"War has become the supreme lunacy. It can accomplish nothing for an ideology, for it crushes every idea. It is the dissolver of all social orders; it is the dissolver of life itself."

Question. How will the recent victories of the United Nations forces affect your resolution?

Answer. In peace negotiations it is always a great advantage to lead from strength and not weakness. It is great to be in the driver's seat. Our current victories and smashing rout of the enemy in Korea give us a tremendous psychological advantage right now in pressing for a just peace.

Question. Will North Korea invade South Korea the moment foreign troops are withdrawn?

Answer. I do not think so. The Korean war has taught many people, including the people of the United States, many lessons. The North Koreans have learned the hard way that aggression does not pay. I hope they have been cured of thinking that the world will sit idly by while they try to subdue their neighbors with gunpowder. I believe they have learned this lesson well. Furthermore, there are more than twice as many South Koreans as North Koreans. The tail is not going to wag the dog.

Question. Does not your resolution add to the significance of the 38th parallel?

Answer. It neither adds to nor detracts from it. The civil war in Korea did, of course, add great importance to this imaginary line. But we are the original architects of this poorly conceived device. When our war with Japan ended, the United States Government created the 38th parallel. Now the Koreans are stuck with it and only the Koreans can eliminate it. Even bad eggs cannot be unscrambled. We created the same botched-up misfortune for Germany and Austria. Perhaps time, patience, and good will may eliminate these wicked and arbitrary divisions of peoples and states.

Question. What results other than talk do you anticipate from your cease-fire resolution?

Answer. I expect it to stop hostilities in Korea 4 a. m., June 25, 1951. One year of the futile, senseless, inhuman sacrifice of the youth of many nations is shocking. A further extension of this debacle would be criminal. Our best hope is not to muddle on and on. Everyone knows that one day a cease-fire order will be issued. W. Averell Harriman, official Presidential adviser, in speaking on a radio program recently, about the Korean war ending, said:

"The Korean fighting might end next week, the week after, in a month or 2 months."

Eventually peace will be negotiated. How many additional thousands of youths must die before we do that negotiating? Why not negotiate right now? Emerson says, "Nine-tenths of wisdom is being wise in time." There will never be a more appropriate time to cease fire than on or before June 25, 1951.

Mr. JOHNSON of Colorado. Mr. President, I have one further word to say. I still feel that the resolution was a wise resolution. I regret at this time that it did not receive favorable action by the United Nations.

I recall that when we had a change of administrations, and when General

Eisenhower took over the office of President, he did not hesitate very long about reaching armistice terms. I recall that the Denver Post, a widely circulated newspaper, and a very popular newspaper, published in Denver, Colo., took me to task and criticized me severely for my resolution, calling it appeasement, and many other things.

Nevertheless, after the election of 1952, I heard the publisher of the Denver Post, Mr. E. P. Hoyt, deliver an address before the Denver Rotary Club, about the election of 1952. He made the statement that one of the principal reasons why General Eisenhower was elected by the tremendous landslide vote which he received in the election of 1952 resulted from his expression of five words. He said those five words were, "I will go to Korea."

Mr. Hoyt, in his very excellent address before the Rotary club, argued that the people—the women, especially—understood those words to mean that the President would exert every effort within his power to end the Korean war.

However that may be, the war did end. The end of the war was a popular thing in the United States. I feel that my resolution was in line with that same kind of thinking, and was as noble in purpose as the purposes and objectives of our very great President when he brought the war to a close.

I repeat that I was not influenced in any way by anyone in thinking up this resolution. Whatever responsibility there is for it must rest upon my shoulders.

Mr. JENNER. Mr. President, reserving the right to object—and I do not intend to object—I should like to ask unanimous consent that my remarks in regard to the resolution of the Senator from Colorado, contained in a speech which I delivered on the floor of the Senate on June 27, 1951, be reprinted, along with the resolution which he has placed in the RECORD, so that the entire story may appear in one place.

There being no objection, Mr. JENNER's remarks of June 27, 1951, were ordered to be printed in the RECORD, as follows: [From the Senate proceedings of June 27, 1951]

**THE SOVIET UNION'S PROPOSAL FOR A CEASE-FIRE IN KOREA**

Mr. JENNER. Mr. President, the Soviet Union's proposals for a cease-fire in Korea are nothing new.

The VICE PRESIDENT. The Chair would state that if the Senator from Indiana is beginning to make a speech it will be necessary for him to have time yielded to him, under unanimous-consent agreement.

Mr. JENNER. I thought it was understood that I had been yielded 30 minutes by the Senator from South Carolina.

Mr. McFARLAND. As I understood, the Senator from Nebraska [Mr. Wherry] was to yield time to the Senator from Indiana.

Mr. JENNER. Thirty minutes.

Mr. McFARLAND. The Senator from Nebraska was to have yielded the time to the Senator from Indiana, but the request has not been made.

Mr. LANGER. Mr. President, in behalf of the Senator from Nebraska, I yield such time to the Senator from Indiana as he may desire to take.

The VICE PRESIDENT. The Senator from Indiana is recognized for 30 minutes.

Mr. JENNER. Mr. President, as I had started to say, the Soviet Union's proposals for a cease-fire in Korea are nothing new. The U. S. S. R. submitted its peace terms 6 months ago in the U. N. Assembly. The only thing which is new is the clever publicity buildup. The only effective answer to the Soviet peace terms, which represent a strategic victory for the U. S. S. R., is to state a truly American peace program which will strengthen free nations in Asia and the world.

Six months ago the Soviet Union laid down its basic terms, essentially the same as those offered in their Saturday broadcast. They specified that all foreign troops should withdraw, and political questions should be left to the self-determination of the Korean people themselves.

On the surface this looks very attractive, but so does any boobytrap. If we lift up the pleasing cover of words, what do we find? American troops and Chinese Communist forces are to withdraw from the 38th parallel, and soon from Korea. But what will be left? Merely the Soviet-trained North Korean divisions, just the thousands of men of fighting age who fled from Korea during the Japanese occupation, and were trained in Russian armies at Stalingrad, and in the Chinese civil war against Chiang Kai-shek.

Of course, Americans believe in the self-determination of small nations, but what kind of self-determination would our anti-Communist friends in Korea enjoy, if the Communists have a large well-trained native army in North Korea?

Mr. President, look closely at this peace offer, and you will see what it really is. It is the peace program that Marshall took to China in December 1945, the peace settlement for China which cost us 400 million allies.

That plan provided that both foreign armies, the Americans and the Russians, were to withdraw their forces from China, and then China would have peace. The same boobytrap was hidden behind the pleasant-sounding words, then as now. As the Russians withdrew, they gave all their spare arms to the Chinese Communists.

We took a few thousand marines out of China at Russian insistence. They were guarding the Chinese railways to keep the Communists from destroying the railroads so that the Nationalists could move their troops northward. We took our marines out, the railroads were destroyed, and the Communists swept down. Now a million armed Chinese Communists are killing our boys in Korea.

We took a few thousand marines out of guard duty in China, for the sake of agreement with Russia, and we had to put over 300,000 men into the battle lines in Korea. Now they are asking us to take our troops out of Korea, and in another year or so we shall have to put a million men somewhere else.

We took our naval forces out of Tsing Tao at Russian insistence that the city must be returned to China. Now the Chinese city of Tsing Tao is a Soviet naval base threatening Korea and Japan.

Mr. Malik's Soviet peace proposal is, in fact, the old Yalta peace plan for Poland. We kept our armies out of central Europe and the Balkans. We even gave orders to the American armies to retreat across the Elbe after they had advanced. We trusted to self-determination for the election of democratic governments in Poland, Bulgaria, and Rumania. Today we put American troops in Europe for garrison duty, because yesterday we pulled Eisenhower and Patton back from a quick and easy victory in Eastern Europe.

Twice we have fallen for that kind of Soviet peace. We dare not do it again, not with the turmoil in Iran.

The Soviet Union is using every device of high-powered publicity to make this plan

look sweet, like Little Red Ridinghood's grandmother, and not like the big bad wolf it really is.

For 6 months the Soviet Union has been quietly building its underground publicity for this proposal. Its propaganda has been distributed through labor unions, women's organizations, churches, youth groups.

The new plan is, in fact, only a variant of the Stockholm peace proposal in American dress. If we want to find out how the Communists have been working on their build-up for the Malik proposals, we can find it fully outlined in the report of the House Un-American Activities Committee, called the Communist Peace Offensive. Only change the words a little, and the Stockholm peace petition becomes the Soviet Union's peace proposal for Korea.

Recently even a prominent Member of this body was won over to propose a peace resolution for a cease-fire on June 25, the anniversary of the start of this war that is not a war.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. JENNER. I shall be glad to yield briefly to the distinguished Senator from Colorado, because in my remarks I am referring to his peace resolution. However, I am speaking under a time limitation, and I cannot yield very long.

Mr. JOHNSON of Colorado. I understand, and I do not wish to take very much of the Senator's time.

The Senator has said that one of the Members of the Senate was won over. What I am interested in is who won him over and when was he won over? Will the Senator elucidate that point?

Mr. JENNER. I certainly will.

If we look at the peace resolution introduced in this body, we see that the Senator makes two main points. He wants all "foreign" troops withdrawn from Korea, and in the statement of purpose he praises the American principle of self-determination for small nations.

That senatorial resolution has been sent all over the United States by the Soviet propaganda machine. It has been sent to women's groups, churches, editors, and families of men in Korea. Many of us in this body have received letters from innocent loyal Americans which were written as a result of the clever Soviet campaign for a mock peace.

The newspapers appeared to be surprised at the announcement by Mr. Malik on Saturday, but they should not have been. For 13 weeks the U. N. has been building up the peace propaganda in radio broadcasts at the same time every week. We pay most of the cost of preparing those broadcasts, and our radio stations probably give the time free, as a public service. Then—surprise, surprise—the Soviet Union gets the preferred spot, and just by accident its representative talks of peace on the anniversary of the Korean war, the date they have been stressing for months for the climax of their publicity campaign.

I am sure that the distinguished Senator whose name is taken in vain has not the faintest idea that someone in Moscow in the Soviet propaganda bureau planned every step he innocently took. But the effect is no less serious because the Senator was unaware of their intentions. When the name of a distinguished Member of this body can be attached to an appeal for the Stockholm peace petition in American dress, when it can be circulated throughout the country to delude innocent and unhappy people, then all of us are concerned in the danger, all of us must work to see that this campaign does not succeed and that our people are warned of this newest Soviet boobytrap.

The most diabolical phase of the Soviet peace plan is that it exploits the desire of all decent people for an end to the senseless



slaughter in Korea, which in the first place never should have been started.

No one wants to end the Korean war more than I. I have spoken again and again of the need to bring this slaughter to an end. But we cannot end it on Soviet terms, especially when those terms are so open to suspicion that the Soviet Union must, by subterfuge, try to seduce Americans into accepting them.

We can best meet the Russian mock-peace terms by submitting genuine American peace terms; of course we are for peace, of course we are for a cease-fire, but they must be on American terms.

We can agree to a cease-fire today. But we cannot agree to moving a single American soldier from the dark and bloody ground his comrades have bought with their lives until we have a trustworthy program for keeping that peace.

That means only one thing. We must replace American battle-hardened soldiers with well-equipped, well-trained Asiatic soldiers—free Chinese, Koreans, Japanese, and Filipinos. This is the same answer that we found for the Philippines. Had it not been for the betrayal which exposed Pearl Harbor to the Japanese, the Philippines would have been safe from invasion.

There can be no self-determination for small nations except behind a living wall of fighting men who can keep predatory aggressive powers from invading their country.

The free Chinese, the Koreans, the Japanese, and the Filipinos have all felt the power and cruelty and hate of Soviet Russia. They can work together to defend each and all from Soviet attack, while we guard the sea and air along our island chain and make the Pacific, as General MacArthur said, a peaceful lake.

It should not be our business to defend the Koreans. It is their business. We were involved in Korea when the American State Department refused to let our military men train the Koreans and equip them with necessary arms. The State Department said no; they could have arms only for police work, although the evidence was clear and unmistakable that the North Koreans would strike when ordered by the Soviet Union.

Our State Department insisted that we leave Korea before it was ready to defend itself. It engaged in constant intrigue against the elected representatives of Korea and kept alive the turmoil which the Communists needed. It publicly announced that we had no interest in Korea, thus inviting the Soviet Union to take over.

We have an interest in Korea now, bought with the lives of the men who were sacrificed by our State Department. We cannot suffer 140,000 casualties only to open the door wider for Soviet expansion. We have a peacetime role in Korea—that our Armed Forces shall train the South Koreans to defend their country. They can learn to do it as the Turks and Greeks have learned to defend their countries.

The simple-appearing Soviet peace proposal has behind it all the subtle organization, all the hidden aggression, that are the Soviet strength. Our peace proposal must have behind it our total moral and political power within the framework of historic American principles of foreign policy.

Americans have always believed in the rights of small nations. We have not the slightest desire to rule over or to interfere with their affairs. We have clearly demonstrated over many years that that is our policy. But we cannot permit small nations within our security zone to be swallowed up by the Soviet Union, and we cannot wait without a policy or with a hidden pro-Soviet policy, and then enter the wrong war at the wrong time and in the wrong place.

The policy which is best for the free people of Asia is the policy that is best for us—for us to do everything in our power to help the free nations of Asia defend themselves against conquest. We need not interfere in

their affairs, or be distracted from our own affairs by periodic wars, crises, and more wars.

It is time for all Americans, Republicans and Democrats, who believe in our historic American foreign policy to insist that the Korean war be settled according to the principles of freedom enunciated in our historic Monroe Doctrine. We want no more settlements by the hidden collectivists who made our "peace" in China. We want a truly American settlement, true to the principles of George Washington, Thomas Jefferson, James Monroe, and John Hay. That policy is self-determination for small nations behind a wall of their own well-trained, well-equipped fighting men, which in turn is protected by our air power and our control of the sea.

We do not have to go on forever in this brutal half war in which the collectivists in our own Government have embroiled us. We cannot escape if we keep on discussing their tortuous proposals. But we can escape very quickly if we do our own thinking. We can have peace at home, and hold out the hope of peace to the free people of Asia, if we will accept the challenge of the Soviet peace proposals, and state now the principles of an American peace for Asia and the world.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from South Carolina yield me 5 minutes?

Mr. MAYBANK. I am not able to do so at this time. I shall be glad to do so at a later time.

Mr. JOHNSON of Colorado. The reason I ask is that—

Mr. LANGER. Mr. President, I yield 5 minutes of my time to the Senator from Colorado.

Mr. JOHNSON of Colorado. The Senator from North Dakota has yielded me 5 minutes of his time, if I may use it.

The VICE PRESIDENT. The Senator from Colorado is recognized for 5 minutes.

Mr. JOHNSON of Colorado. Mr. President, the Senator from Indiana [Mr. JENNER], in his usual vigorous and bitter manner of speech, has made a very serious charge against the senior Senator from Colorado.

On May 17 I submitted a resolution in the Senate. I did not slip around the back door. I stood up and received recognition from the President of the Senate and I read my resolution word for word, from top to bottom. A few days later I was interviewed on the radio and was asked who was interested in the resolution other than myself. I stated the facts of the case at that time on the radio, and that statement as broadcast was placed in the CONGRESSIONAL RECORD. I stated then that I had not discussed it with any other Senator or with any other person. Previous to its submission I had not discussed it at all with anyone. I added, "I thought it up all by myself." I am still proud of that resolution, Mr. President. I think it is one of the wisest and most statesmanlike documents authored by me. It was something which should have been done by someone, and I am glad I had the intelligence and the courage to do it. I knew when I submitted the resolution what the politicians would say about it. I have been in public life a long time, and I know beforehand what the reactions of certain people to such proposals will be. So I did not do it with my eyes shut; I did not sneak around in any way to do it. I am still proud of what I did. If I had not submitted this resolution on May 17, 1951, I would submit it today.

When the Senator from Indiana says that I was importuned or influenced to do it, he is saying something which is absolutely false, unless there is such a thing as subconscious influence. Maybe Malik or Stalin were working on me from across the ocean; I do not know. Maybe there is such a thing as mental telepathy which causes people to act one

way or the other. If there is, I did not feel any heat wave strike my brain cells at the time, and I am certain no such unknown influence was at work. I know very positively that no one representing Russia or any other country wrote to me or talked to me about it.

Mr. JENNER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. JENNER. Mr. President, in my remarks I did not try to impugn the motives of the Senator from Colorado. Every Member of this body knows that he is an outstanding American and a great Senator. I only stated that I was sure the Senator's name had been taken in vain and that he had not the faintest idea that someone in Moscow was planting this same type of propaganda throughout the country and had been doing it for 6 months previously, and, at the same time, had been using the same broadcasting facilities at the same hour for several weeks to lay a foundation for Malik to make his proposal. I also referred to the distinguished Senator's main objective, which was self-determination for small nations. I did not impugn the Senator's motives. I attributed the best of American intentions to the Senator.

If we accept this proposal we have no way to protect the boys who are giving their lives in Korea.

I hope the Senator will not take my remarks in any other light, because I certainly did not intend them to be taken in any other light.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Indiana to the committee amendment on page 2 of the resolution.

Mr. JENNER. Mr. President, I withdraw the amendment.

The VICE PRESIDENT. The question recurs on agreeing to the committee amendment embracing section 2 of the resolution.

Mr. CASE. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|               |                 |              |
|---------------|-----------------|--------------|
| Abel          | Fulbright       | Martin       |
| Alken         | George          | McClellan    |
| Anderson      | Gillette        | Millikin     |
| Barrett       | Goldwater       | Monroney     |
| Beall         | Green           | Morse        |
| Bennett       | Hayden          | Mundt        |
| Bridges       | Hendrickson     | Murray       |
| Brown         | Hennings        | Neely        |
| Burke         | Hickenlooper    | O'Mahoney    |
| Bush          | Hill            | Pastore      |
| Butler        | Holland         | Payne        |
| Byrd          | Hruska          | Potter       |
| Carlson       | Humphrey        | Purtell      |
| Case          | Ives            | Robertson    |
| Chavez        | Jackson         | Russell      |
| Clements      | Jenner          | Saltonstall  |
| Cooper        | Johnson, Colo.  | Schoeppel    |
| Cotton        | Johnson, Tex.   | Scott        |
| Daniel, S. C. | Johnston, S. C. | Smith, Maine |
| Daniel, Tex.  | Kefauver        | Smith, N. J. |
| Dirksen       | Kerr            | Sparkman     |
| Douglas       | Kilgore         | Stennis      |
| Duff          | Knowland        | Symington    |
| Dworshak      | Kuchel          | Thye         |
| Eastland      | Langer          | Watkins      |
| Ellender      | Lehman          | Welker       |
| Ervin         | Long            | Williams     |
| Ferguson      | Magnuson        | Young        |
| Flanders      | Malone          |              |
| Frear         | Mansfield       |              |

The VICE PRESIDENT. A quorum is present.

Mr. KNOWLAND. Mr. President, after consultation with the minority leader, I now move that the Senate stand in recess until the hour of 12:30 p. m.

Mr. BRIDGES. Mr. President, reserving the right to object, I think we should have an explanation. We are ready to go on with the debate. Is there some good reason for the motion of the majority leader?

Mr. KNOWLAND. I will say to the distinguished Senator from New Hampshire two things: First, I have been requested by the select committee that they be permitted to meet at this point, and that will be difficult while the debate is going on. Second, we wish to provide a luncheon period, brief though it may be, so that we can complete our labors this afternoon. That is the explanation. I thought, inasmuch as the select committee wanted some time, that we might let them have the time during the 45-minute lunch period.

Mr. BRIDGES. Would it be agreeable to the select committee to have time after we take action on section 2 of the committee amendment?

Mr. KNOWLAND. I think the select committee wanted an opportunity to meet prior to such action.

Mr. BRIDGES. I think the Members of the Senate are ready to vote on that section of the committee amendment. I am ready to offer a motion to strike section 2. The question is, should we prolong the situation by taking a recess at this time? I think the Senate is ready to act. We have discussed it in the past 2 days, and it is thoroughly understood.

#### THE RECESSED LUNCHEON PERIOD

Mr. MALONE. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Nevada.

Mr. MALONE. I wish to address myself to the distinguished Senator from New Hampshire.

But first to the distinguished majority leader. The luncheon period has been staggered frequently. On some days we have had a luncheon period; some days we have not. We have no knowledge beforehand as to what the plans may be. So there is nothing to do except to conform with the unexpectedly announced programs of the majority and minority leaders when and if they are announced.

I agree with the distinguished Senator from New Hampshire that what should be done is to proceed with the debate and to vote when we are ready. We have watched the committee operate for about 3 weeks including the recess. I returned from Caracas, Venezuela, 2,500 miles—to see it through.

I agree with the Senator from New Hampshire that we were entitled to know when a recess may be taken. Yesterday we did not have one; the day before we had one. Some days we do; some days we do not. No one is informed of the schedule.

#### LUNCHEON NO PROBLEM—175 YEARS

For 175 years Senators have been able to eat lunch without discommoding the Senate to any great degree. If there is some reason why it is necessary to delay the proceedings and take time out to call signals, we should have an explanation of it.

Mr. KNOWLAND. Mr. President, I withdraw my suggestion for a luncheon recess period for today.

Mr. BRIDGES. Mr. President, I move to strike from Senate Resolution 301 section 2, being lines 6 through 17, on page 2.

The VICE PRESIDENT. The Chair advises the Senator from New Hampshire that his motion is not in order, since a negative vote on the committee amendment would accomplish the same purpose.

Mr. BRIDGES. Then I move that section 2, on page 2, lines 6 through 17, be tabled.

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Has section 2 been called up? Has the committee amendment known as section 2 been called up?

The VICE PRESIDENT. The Chair announced previously that the pending question is the adoption of section 2.

Mr. CASE. Did the chairman of the select committee formally present section 2?

The VICE PRESIDENT. The chairman of the select committee did not.

Mr. CASE. How does section 2 then come before the Senate?

The VICE PRESIDENT. When committee amendments are before the Senate, automatically after section 1 has been disposed of the next amendment, which is section 2, comes before the Senate.

Mr. CASE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Would a motion be in order, if made by the chairman of the select committee, to offer some substitute language? Or would it be in order for him to offer an amendment containing substitute language for section 2?

The VICE PRESIDENT. A motion to table takes precedence. At this point the motion to table takes precedence. Prior to the time a motion to table was offered, the chairman of the select committee could have offered an amendment to modify the committee amendment.

Mr. CASE. Will the Chair kindly restate what he just said?

The VICE PRESIDENT. Prior to the time the motion to table was offered, the chairman of the select committee could have modified his amendment.

Mr. CASE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Is a motion to table debatable?

The VICE PRESIDENT. Under the rules of the Senate a motion to table generally is not debatable; but the unanimous-consent agreement now in effect specifically states that on any motion debate is in order. Under the circumstances, therefore, the Chair interprets the unanimous-consent agreement to include a motion to table. The motion to table, therefore, is debatable.

Mr. CASE. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from South Dakota will state it.

Mr. CASE. Do I correctly understand that the Chair has recognized the senior

Senator from New Hampshire to speak in his own time on his motion to table?

The VICE PRESIDENT. The Senator is correct. The Senator from New Hampshire has the floor on his motion to table. The Senator from New Hampshire has 30 minutes.

Mr. BRIDGES. I shall allocate to myself only 3 minutes at this time.

I propose the elimination of section 2, which at best is a very controversial and very questionable section of the committee's recommendations.

Mr. President, I ask for order.

The VICE PRESIDENT. The point of order is well taken. The Senator from New Hampshire will not proceed until the Senate is in order. Conversation will cease. Those who wish to converse will retire to the cloakrooms.

The Senator from New Hampshire may proceed.

Mr. BRIDGES. I have been a Member of the Senate for 18 years. I am the senior Member on the Republican side of the aisle; and, with but few exceptions, I have been a Member of this body as long as any Member on the other side of the aisle, my length of service being exceeded by that of only a few Members on the other side of the aisle.

I am proud of my associations in this Chamber. I have a warm feeling of friendship for all Members of this body.

I have been here long enough to have heard statements made by other Senators about their colleagues, and statements made by Senators who were acting as chairmen of committees, about witnesses and about Members of the other House. I have been here long enough to have heard Senators who were not chairmen of committees also make direct attacks upon witnesses.

As are most other Senators, I also am in a position to cite example after example of such conduct. In committee meetings and conferences I have observed Senators display physical violence against Members of the other House and against witnesses, or at least attempt to do so. In none of those instances, whether for spoken word or for physical encounter, has a Senator been censured.

In most instances when such conduct has taken place on the floor, it has been expunged from the RECORD. In committees, it has been eliminated from the transcripts of the hearings. In other instances, it has been forgotten, ignored, or otherwise glossed over.

In this case, I feel that an individual Senator is being singled out for conduct in a committee which, certainly in theory, has some precedent in the Senate as a whole. It is a sad day for the United States Senate and a sad day for America when a Member of this body can be taken to account for words spoken by him, as chairman of a committee, to a witness, when the witness had been utterly uncooperative.

Mr. President, I yield myself 2 additional minutes.

I do not believe in a muckraking rehearsal of these things. I have in my possession information from the CONGRESSIONAL RECORD and newspaper articles of similar conduct in case after case. I can recall observing similar



conduct with my own eyes, and I can call as witnesses to such conduct other Members of the Senate from both sides of the aisle. I have heard similar language with my own ears. I do not believe there is any Senator who has served with me on committees who would not so testify. As I have said, I do not believe in raking up such incidents; but I have seen them. They have occurred. No one can challenge that statement.

Regardless of whether or not one may like the junior Senator from Wisconsin, or his methods, or his objectives, the Senator from New Hampshire does not think that a Member of the Senate, so far as the section of the resolution under discussion is concerned, should be cast entirely out of the picture, or that he is not to be considered. Yet the larger question is the future in this country of the United States Senate, and whether it is going to exist and continue as a great legislative body.

Mr. President, I yield myself 2 more minutes.

We must consider whether or not we want to go ahead and rake up the past. If we wish to rake up the past on both sides of the aisle, Senator after Senator will be found to have violated procedure and to have been guilty of exactly what the junior Senator from Wisconsin is being charged with in the particular section under discussion. I do not want to do that, and I do not think the Senate of the United States should do it, and I hope that this section, at least, will be eliminated. If it is not, it will come back to haunt every Member of this body. It will haunt them in the days, months, and years to come. Someday our country may suffer in a vital way as a result. The time to take action is now, and not to regret it afterward.

Mr. President, I yield 3 minutes to the Senator from Nevada.

Mr. MALONE. Mr. President, I shall need more than 3 minutes.

Mr. BRIDGES. The Senator from New Hampshire will yield to the Senator from Nevada, if the Senator from New Hampshire may first yield to the Senator from Vermont. Then I shall see how generous I can be in yielding time to the Senator from Nevada.

Mr. AIKEN. Mr. President, yesterday I voted for section 1 of the amendment proposed to Senate Resolution 301. I expect to vote for the Bennett amendment to Senate Resolution 301, because I believe the charges made by the junior Senator from Wisconsin against certain Senators, and in effect against the Senate itself, were cruel, false, and unpardonable; but I also believe section 2 of the amendment to the resolution represents an entirely different matter.

Having listened to the arguments, having read whatever evidence I had at my command, I have come to the conclusion that the Army did promote and protect an officer who the Army had every reason to believe was a Communist, and who had been deceitful in his dealings with the Army. I believe the Army did defy the Senate's efforts to get at the facts.

If the junior Senator from Wisconsin is to be censured because he was a representative of the Senate, then it is

equally true that General Zwicker, against whom the junior Senator from Wisconsin used improper language, was a representative of the Armed Forces.

While the language used by the junior Senator from Wisconsin toward General Zwicker at the hearing was improper, in my opinion, it is also my opinion that the attitude of the officials of the Army was also improper. So it seems to me a vote to censure the junior Senator from Wisconsin on this particular charge would weaken our efforts to root out subversives in Government, and would also constitute acquiescence in the attitude of defiance shown by the Armed Forces toward furnishing information to the Congress.

If the section under discussion is stricken out of the resolution, I intend to vote for censure of the junior Senator from Wisconsin for his attitude on the floor, unless he shows a much more repentant attitude for the injury he has done to certain sincere and patriotic Senators than he has shown to date.

Mr. MALONE. Mr. President—

The VICE PRESIDENT. How much time does the Senator from New Hampshire yield to the Senator from Nevada? The Senator from New Hampshire has 18 minutes remaining.

Mr. BRIDGES. Mr. President, if the Senator from Nevada will yield, I should like to yield 1 minute to the Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, I shall support the motion of the Senator from New Hampshire to table the second section of the committee amendment to the resolution, because I consider the Army, in silencing one of its generals, failed to render customary courtesy to a chairman of a Senate committee, who, though using language to be deplored, was quite justified in his feeling that he was being blocked by the Army in trying to root out subversives in the Armed Forces of our country. For that reason I shall support the motion of the Senator from New Hampshire.

#### THE PROPOSAL TO CENSURE

Mr. BRIDGES. Mr. President, I yield 12 minutes to the Senator from Nevada.

#### INVESTIGATIVE POWER OF THE SENATE AT STAKE

Mr. MALONE. Mr. President, I wish to support the distinguished Senator from New Hampshire in his motion to table. As a matter of fact I have previously served notice of my intention to move to table the whole resolution 301.

The Senator from Nevada has made several statements on the floor of the Senate since the debate started on November 8 that the junior Senator from Wisconsin is merely a whipping boy in the debate on the proposed resolution.

The real question before the Senate is the preservation of the investigative power of the legislative branch of the Government, for which the Constitution provides.

#### ABRAHAM LINCOLN'S WARNING OF 90 YEARS AGO

Mr. President, 90 years ago Abraham Lincoln said:

If destruction be our lot we must ourselves be its author and finisher. As a nation of freemen we must live through all time or die by suicide.

Mr. KNOWLAND. Mr. President, may we have order in the Senate and in the galleries?

The VICE PRESIDENT. The Senator will not proceed until the Senate is in order. This time will not be taken from the time of the Senator from Nevada.

The Senator from Nevada may now proceed.

Mr. MALONE. Mr. President, the Senate is the upper house of the legislative branch, charged with the preservation of the Nation under the Constitution and the Bill of Rights.

#### "SUICIDE" OF FREE GOVERNMENT CAN BEGIN IN SENATE

The "suicide" described by Lincoln could well begin in the Senate of the United States—as a matter of fact, it really got underway in 1930.

Under the Constitution, the Congress, of which the Senate is the upper house, was set up as an independent and coordinate branch of our Government. The executive and the judiciary, together with the Congress, make up the constitutional three branches of Government, each independent of each other, purposely created as balances and checks in a government of law.

During the past 22 years, however, there have been numerous and repeated attempts to curtail or destroy that investigative power. Mr. President, may we have order?

The VICE PRESIDENT. The Senator will suspend. The Chair will make the announcement that if the conversations which have been going on among the clerks and the employees of the Senate seated in the various chairs on the Senate floor do not cease, the Chair will order the Sergeant at Arms to clear from the Senate floor all persons other than those who are here on official business. The Chair will not give any additional warning of such action. Conversations among Senators should take place in the cloakrooms. It is desired to expedite the business of the Senate by refraining from conversations.

The Chair will repeat that those persons who are not Senators and who indulge in conversation will be removed from the Senate floor immediately, in the event that such conversations continue.

The Senate will remain in order, and the Senator from Nevada may continue.

#### DRIVE TO DESTROY LEGISLATIVE INDEPENDENCE HAS CONTINUED 22 YEARS—SENATE RESPONSIBILITY TO EXECUTIVE

Mr. MALONE. Mr. President, during the past 22 years there have been numerous and repeated attempts to destroy the independence of the legislative branch, and subordinate it to the whims and wishes of the executive department. Targets of this assault have included Congress' constitutional authority and responsibility over money and its value, credit, trade, commerce, regulation of the military, treaty consent and ratification, and declaration of war. Some of these powers have been yielded directly to the executive branch by the legislative, and several, particularly the power

to declare war, were transferred unknowingly by the Congress to the United Nations.

Within the next few hours the Senate of the United States will exercise one of its few remaining powers under article I, section 8, of the Constitution. This particular power is to punish one of its own Members. Then the Senate will march home again, in all its dignity, having exercised this power over one United States Senator who had the intestinal fortitude to fight communism with his gloves off.

Mr. President, what happens to a single Senator on this floor, in my opinion, is not too important, except that it will serve notice on all Members of this body that in the future they will be wise to apply the policy of peaceful coexistence with Communists at home, including those employed in our defense establishments.

#### OFFICE BOYS TO THE EXECUTIVE BRANCH

What happens to the Senate and to the legislative branch of Government is most important. We can destroy ourselves as an independent, coordinate branch of Government, and can become office boys to the executive branch or the military, or we can reassert our constitutional obligations and authority.

#### POLITICAL APPROACH TO DESTROY NATION BEGAN WITH RECOGNITION OF RUSSIA

There are two approaches to destroy this Nation—political and economic. The political approach began in 1933, with recognition of Communist Russia without any safeguards whatsoever. The economic approach to destruction commenced with transfer of the regulation of money and the 1934 Trade Agreements Act, transferring the power to regulate money and foreign trade to the Executive.

The legislative branch gave up its constitutional power over money in 1933 and 1934: First, when the gold standard was scuttled by the administration; second, when the Gold Reserve Act was passed, permitting the President to devalue and impound gold, which he promptly did, thus creating inflation through the printing of paper money that wiped out the lifetime savings of millions.

#### DESTROY THE WORKINGMEN AND INVESTOR

Power over money was turned over to the executive branch. It has been said that to control a peoples' medium of exchange—money—is to control the Nation, and that is at least half right. Control of trade is the other half; so in 1934, Congress turned their constitutional responsibility—article I, section 8—over to the executive branch, too, giving it the power to destroy the workingmen, including any industry, investment, craft, or business in the Nation.

The Constitution says that Congress shall regulate commerce with foreign nations. We scuttled that constitutional provision, also. Step by step, we have destroyed our constitutional authority and responsibility.

#### KOREAN WAR DECLARED BY STATE DEPARTMENT AND UNITED NATIONS—NOT CONGRESS

The Constitution says that Congress, and only Congress, shall have the power to declare war. But we had a full-scale

war in Korea, under the auspices of the State Department and the United Nations; and in that war, more than 25,000 American boys lost their lives, and over 140,000 were casualties. The Congress had no voice in that war, or in making the rules concerning captures on land and water, another constitutional provision.

#### GAG DIRECTIVES BY EXECUTIVE BRANCH TODAY SUPERSEDE CONGRESS AND THE CONSTITUTION

The Constitution says Congress shall make the rules for the government and regulation of the land and naval forces. But the Secretary of the Army, or officials under him, lay down rules for the Senate, instead, when an investigation is sought of Communist infiltration, or the promotion and honorable discharge of a fifth-amendment Communist major, the Army lays down the rules under which officers, such as General Zwicker, may testify, backed up by gag directives. What is more, the Senate, or part of its membership, accepts the military rules and directives, instead of making the rules for the government and regulation of our land and naval forces, as provided in the Constitution.

So, now Congress has yielded to the executive branch control of money, treaties, trade, military regulation, commerce, and the national economy and security.

We still make appropriations based on White House budgets; and when we vote funds which the executive branch does not order, the administration can disregard them, as it did with reference to millions of dollars provided for airpower, several years ago.

We still make our own rules of conduct with respect to our own Members—although no rule is involved in this censure regulation—and we still exercise legislative jurisdiction over the District of Columbia. However, if the one-worlders' dream of world government comes true, we shall not even have those powers left.

#### TREATIES KEPT FROM CONGRESS BY FALSE MASK OF EXECUTIVE AGREEMENTS

We have yielded our responsibility to concur in treaties—since they are now called executive agreements, concerning which the administration seldom even seeks or asks our consent or advice.

The term "executive agreements" does not appear in the Constitution, because it had not been invented then; but the word "treaties" does. Executive agreements were invented as a "phony" label to paste over treaties that the executive branch prefers to hold back from the Senate. The Yalta and Potsdam agreements are two examples.

Sometimes an administration does not even bother to enter into formal agreements, such as when the decision was reached, under Franklin Delano Roosevelt, to scuttle Chiang Kai-shek and to yield China to the Communists; or when the decision was made by his successor, at the instance of Great Britain, not to seek victory in Korea or to bomb beyond the Yalu.

#### U. N., GATT, NOW CONTROL AMERICA'S SECURITY AND ECONOMY

There are two further efforts to destroy the Senate that I would touch on.

One is the United Nations, which shifts constitutional legislative powers from the legislative branch to a hodgepodge of 34 countries, many of them Communist, some pro-Communist, some neutral, and some still independent but preaching the doctrine of coexistence, which our Secretary of State has so quickly espoused, although it is plainly foreign manufactured.

The other is GATT—the General Agreement on Trade and Tariffs—the ninth session of which is now in progress in Geneva. It is a left-wing creation at which diplomats huddle to work out ways and means of destroying the economy of the United States. GATT, in any shape or form, has never been before the Congress or the Senate, because to bring it before us would expose its true character and objectives.

So the Senate, having given up its major responsibilities, as ordained in the Constitution, puts one of its Members on trial—not once, but 3 times in 1 year.

The first trial, based on charges preferred by civilian heads of the Department of the Army as a device to stop investigations into communism at Fort Monmouth, provided a television circus for many months before a special subcommittee. This trial succeeded only in making several of our civilian Army chiefs look ridiculous, and in bringing on the resignations of valuable investigators experienced in investigating communism.

So a second trial was contrived by the Committee for an Effective Congress, working with or through the distinguished junior Senator from Vermont. The second trial was before a select committee, serving as a sort of grand jury, and delving into matters of the past months and years, and even into attempted inquisitions in previous Congresses.

#### CENSURE OF WISCONSIN'S JUNIOR SENATOR NEW STEP TOWARD SELF-DESTRUCTION OF LEGISLATIVE BRANCH

This is the third trial, Mr. President, a further diversion from the duties which under the Constitution the Senate of the United States should be performing. It is a further step toward self-destruction of the legislative branch of Government, the only branch of Government which represents every county, State, and precinct in the Nation.

Of course we can destroy ourselves piecemeal, by picking off one Senator, and then another, with those opposing communism as our initial targets; or we can go "whole hog," and can—all at once—turn over to the executive the rest of our responsibilities.

The VICE PRESIDENT. The time of the Senator from Nevada has expired.

Mr. MALONE. Mr. President, I request that additional time be allotted me.

Mr. BRIDGES. Mr. President, I yield 2 additional minutes to the Senator from Nevada.

Mr. MALONE. I thank the Senator from New Hampshire.

The VICE PRESIDENT. The Senator from Nevada is recognized for 2 additional minutes.



# KARL MARK PRONOUNCEMENT ON FREE TRADE RECALLED

Mr. MALONE. Mr. President, the father of communism was Karl Marx.

Generally speaking, the protective system in these days is conservative, while the free trade system works destructively. It breaks up old nationalities and carries antagonism of proletariat and bourgeoisie to the uttermost point. In a word, the free trade system hastens the social revolution. In this revolutionary sense alone, gentlemen, I am in favor of free trade.

Mr. President, this principle has not changed in the 102 years since the outstanding Communist of all time said in effect that free trade destroys the workman, and now, since the investment in industry has risen from a few dollars per employed person to an average of approximately \$10,000, the investor is an equal victim.

# HITLER, MUSSOLINI USED PIECEMEAL METHOD OF DESTROYING LIBERTY

Mr. President, dictatorships can be created in two ways, the piecemeal method or the "whole-hog" method. Hitler never violated a law, rule, or precedent of the Reichstag—they always laid the groundwork ahead of time for whatever he had in mind. The piecemeal method was used by Hitler and Mussolini.

# THE END COULD BE DIGNITY WITHOUT RESPONSIBILITY

During this debate we have heard a lot about senatorial dignity. Dignity seems to be a major concern.

The Reichstag had dignity, too. Its members under Hitler retained their dignity but nothing else.

That is the danger we face today, of keeping a lot of dignity and pomp but losing all our constitutional powers and authority, giving them away at the behest of appointive officials in the executive branch, and turning over to these appointees our duties and responsibilities through precedents, rules, and legislative acts.

We began that process in 1934.

We have continued it since then.

We are furthering it now by disputing among ourselves over the manners of a colleague in combating communism.

To quarrel over what is proper etiquette in combating communism and Communist protectors is utter folly, in the opinion of the Senator from Nevada.

# SENATE SHOULD FIGHT COMMUNISM INSTEAD OF INVESTIGATORS OF SUBVERSION

What we should be doing is fighting the Communist economic approach to destroy this Nation.

# FIGHTING EQUIPMENT FOR CAVIAR

We should be fighting the Communist objective of East-West trade, in which the West supplies the East with war potential and the East supplies the West with caviar, vodka, and canned crabmeat.

# THE PALLIATIVE CALLED RECIPROCAL TRADE

We should be fighting the division of our markets with the other nations of the world, including Red satellites such as Czechoslovakia, through a palliative called reciprocal trade, meaning the export of American jobs and the destruction of American investments.

# THE LAND AND NAVAL FORCES

We should be fighting Communist infiltration into defense plants, defense installations, and strategic industries, as the junior Senator from Wisconsin was attempting to do until he ran head-on into Army opposition and trials before the Senate committees—starting with a "soap opera" on the television.

The Constitution provides that the Congress, not the Executive, shall make the rules for the government and regulation of the land and naval forces. That is one of the provisions of the Constitution which the executive branch apparently has forgotten.

# GAG RULES IN PERESS CASE LAID DOWN BY TRUMAN, MILITARY

The Truman directive of 1948, which I have cited before, set up its own rules and regulations—gag rules—for the military in its dealings with the legislative branch, and got away with it.

The military, not the Congress, set up the rules for matters such as the Peress case; and under this censure resolution the Senate not only would accept this transfer of constitutional authority but would condone it.

We should be working to destroy the Communist menace, instead of destroying those who investigate this menace.

The junior Senator from Wisconsin is only the whipping boy in the drive to destroy the investigative powers of Congress. The real Communist objective is destruction, first, of the investigative power of the legislative branch, then the branch itself, as an independent, constitutionally authorized, coordinate part of our system of government.

# CENSURE ON ZWICKER COUNT WOULD CONCEDE SUPREMACY OF MILITARY

Adoption of section 2 of Senate Resolution 301 is a steppingstone to acquiescence in the theory of superiority of military authority over civilian authority. That was one of the charges in the Declaration of Independence against George III.

The Continental Congress on July 4, 1776, declared that the British monarch, among other affronts, had "affected to render the military independent of and superior to the civil power."

What our forefathers fought against we should not endorse. We do endorse that precept if we support section 2 of Senate Resolution 301.

# SENATE MUST NOT ABDICATE CONSTITUTIONAL RESPONSIBILITIES TO EXECUTIVE

Mr. President, let us stand by the Constitution instead of creating more precedents toward abdicating our constitutional powers. We already have surrendered far too many.

Let me repeat what Abraham Lincoln said 90 years ago:

If destruction be our lot we must ourselves be its author and finisher. As a Nation of freemen we must live through all time or die by suicide.

We are doing that now by quibbling over the manners of one of our Members while Communists shoot down our planes, imprison our citizens, and thumb their noses at meeklymouthed State Department protests.

We quibble over McCARTHY while 13 brave Americans suffer in Red Chinese torture chambers.

We quibble over what Senate Resolution 301 calls criticism of superior military officers and the destruction of good faith which must be maintained between the executive and legislative branches.

# CONGRESS MUST DEMONSTRATE GOOD FAITH TO AMERICAN PRISONERS OF CHINESE REDS

Good faith between the two independent branches of government, the legislative and executive, is fine. But good faith with 13 American citizens imprisoned on false charges by the Communists, is far more important. We should be concerning ourselves with good faith toward American captives of Communist China before we worry about good faith between the executive and legislative branches, and whether a single Senator and a single brigadier general have breached it, which of course they have not.

Let us cut out the doubletalk about criticism and good faith. The junior Senator from Wisconsin, after all, is only the whipping boy for purposes of politics.

The 13 American prisoners in Red China sentenced to long years in Communist prisons are real victims of Communist effrontery and aggression.

If the Senate feels it must censure somebody it could well take a stand on this outrage to civilization and censure the perpetrators of this ghastly outrage. Heaven knows, the State Department has not done it.

# TAKE ARMY OUT OF POLITICS AND POLITICS OUT OF ARMY

Let us dispose of this diversionary matter inspired originally by the Army's civilian chiefs. Let us get politics out of the Army and the Army out of politics.

Then let us take up the real issues, such as concern all Americans, the issues of strength and preparedness, and of firmness in the face of any peril affecting the lives of American citizens, including Red China's captives.

# SEVEN MAJOR STEPS TOWARD DESTROYING THE SENATE

In summation, I merely say that, first, we transferred to the executive control over money. Congress has nothing to do with it now. Second, we turned over to the executive the regulation of foreign trade, which section 8 of article I of the Constitution makes the specific responsibility of Congress. Third, we have relinquished the power to declare war. Under the Constitution, we are the only agency which can declare war, but we relinquished that power over life or death to the Executive. The United Nations takes care of everything. Fourth, we have turned over the power to make rules and regulations of our military forces now scattered in some 42 foreign lands. Fifth, we have yielded all authority in making peace and setting the terms of peace. Sixth, we have abdicated any voice in foreign policy to the State Department and United Nations. In the present matter we have the spectacle of a representative of the executive department appearing before a Senate

committee and hiding behind a Presidential gag directive or behind an order of a superior officer when he is asked a question. Then what happens? His superiors file charges against the Senator, sitting as chairman, who is tried in a "soap" opera on television for a couple of months, and then the original question asked the witness is forgotten.

The seventh step is the one in which we are now engaged. That completes the job. We will have, if we pass this censure resolution, set the precedent of censuring a Senator for the spoken word, the remedy for which is already set out in the Senate rules.

The rule provides that when a Senator is considered out of order in debate he can be called to order and must take his seat. He can then be allowed to proceed in order.

If censure is to be used for the spoken word, then we have set the stage with the seven steps of self-destruction for complete control by the executive branch.

The VICE PRESIDENT. The Senator from New Hampshire [Mr. BRIDGES] has 5 minutes remaining.

Mr. BRIDGES. Mr. President, does the Senator from Utah [Mr. WATKINS] desire to use any of his time?

Mr. WATKINS. Not at the moment.

Mr. BRIDGES. The Senator from New Hampshire has concluded his presentation for the time being, and is ready for a vote.

Mr. WATKINS. Mr. President, I have not yielded back my time. I yield 5 minutes to the Senator from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. President, I think the Senate would make a very grave mistake if the motion to table section 2 of the committee amendment, dealing with the mistreatment of a very distinguished member of the armed services, should prevail. The case which we are trying here today before 96 Senators is in reality being tried before 165 million Americans. It matters little to the millions of American people whether the sensibilities of the Senate have been offended by remarks made on the floor. It is charges of communism, Communist domination, or Communist conspiracy directed against a United States Senator or against an ordinary citizen of America that concerns them.

In an effort to water down the resolution and obtain a large vote in support of the charges which come before the Senate we are asked today to delete the only portion which deals with the offenses of the junior Senator from Wisconsin against the American public.

If we strike out section 2 and substitute for it the new section proposed we shall be saying that the junior Senator from Wisconsin has not abused or mistreated citizens of the United States, but that we are concerned only with the manner in which he has treated his fellow Senators.

By such action we would be saying that we are a privileged class, that we are above the normal guaranties of the Constitution which were meant to protect even the humblest citizen. We shall be saying that no one must lay a finger on

a United States Senator or criticize him in any way.

We had better stop, look, and listen, because this case is being tried before all the people. If we eliminate this section, newspapers will say, I believe, as they sum up, that Senator McCARTHY has been censured only because he dared to criticize Members of this body.

The VICE PRESIDENT. The time of the Senator from Oklahoma has expired.

Mr. WATKINS. Mr. President, I yield 5 minutes additional to the Senator from Oklahoma.

Mr. MONRONEY. Mr. President, we seem to have established a pattern. It is perfectly all right to install wiretaps and to list long-distance telephone calls of preachers, teachers, professors, and businessmen. It is all right to put a mail cover on the mail of any private citizen of the United States, regardless of whether he is a Communist or whether there is an iota of evidence that he is a Communist. It is all right to invade the privacy of citizens by wiretaps to an unlimited extent so long as we are dealing with the public of the United States.

But, oh, my friends, do not touch the telephone wires of a Member of this great club. We 96 are sacrosanct. We are above the normal protections. So we may disregard the constitutional guaranties to which the Constitution says every American, even the most humble, is entitled.

I think the Zwicker incident is a prime example of the repeated, continual, deliberate efforts of the junior Senator from Wisconsin to browbeat and mistreat witnesses who come before him. This charge does not involve merely the browbeating of those who were Communists or who were seeking to take refuge behind the fifth amendment. This charge involves the treatment of heroes of the United States. I feel that General Zwicker is a symbol of those in uniform who man the ramparts around the world while we at home enjoy the privilege of free debate and discussion.

It is said that the junior Senator from Wisconsin was irked because something happened in the high command of the Department of the Army which gave Major Peress a discharge; but no one contends that General Zwicker had a thing to do with giving him that discharge. It is said that it is all right to accuse this war hero of not being fit to wear the uniform of our country, because Senator McCARTHY was irked that morning, because someone had fouled up his plans or disregarded his edict to the Department of the Army.

The Zwicker case partakes of the nature of mass punishment. A hostage is seized and punished because someone in a town committed a crime. Perhaps someone in the Department of the Army made a grave error. So it is all right to make a hostage of General Zwicker and compel him to endure the greatest humiliation of his life, the worst I have ever heard about in any senatorial investigation.

It seems it is all right to browbeat the public. We have numerous examples of witnesses who have been brought before our committees and subjected to

such treatment. Over a period of years the junior Senator from Wisconsin has been one of the leaders in that kind of abuse.

I was a member of the Gillette subcommittee. It is said that if the junior Senator from Wisconsin dares to talk about us, that is a subject for censure. It seems to me that the Senate represents all the people, and that the junior Senator from Wisconsin is acting as the agent of the Senate. The committee is an agency of the Senate. I, for one, wish to censure him for his handling of that job as an agent of the Senate. I believe that the Zwicker case concentrates in one package the things concerning which the public has been pressing Congress. The public has been pressing Congress for a decent standard of ethics and for proper rules of procedure which will protect the rights of citizens before congressional committees.

If we vote down the Zwicker section of the resolution, we shall be telling the public of the United States that we are not concerned over the rights of ordinary citizens, but are concerned only over our rights.

No Senator has risen on the floor to say that General Zwicker was a recalcitrant witness. No one has said that he is responsible for the discharge of Major Peress. Every speech I have heard or read indicates that he was completely blameless.

The only extenuating circumstance is that the junior Senator from Wisconsin was irked that morning because someone in the Department of the Army had given a discharge to Major Peress without first notifying the junior Senator from Wisconsin. Of course that was wrong. But let him call witnesses from the Department of the Army, as he had the right to do, and cross-examine them.

I have been in the Senate for only a short time, for no more than 4 years, but I served in the other body for 12 years. I have never found it necessary during that service, in the interest of securing any kind of information, to be ungentlemanly, to be brutal, to try to destroy the reputation of a witness, or to undertake to take away the greatest possession a man has—his reputation for loyalty as a good American.

O, Mr. President, I saw the crocodile tears which were shed yesterday, and I heard the references to the spirit of Christmas, and I heard it said that we should have forbearance because it is the holiday season. For a while I did not know whether we would hear the refrains of "Silent Night, Holy Night," or "Rudy, the Red-Nosed Reindeer."

This is not a matter that should be determined on the basis of our charity at the Christmas season. It is not a matter in which we should show forbearance, if the undeniable facts, to which we have largely been eye witnesses over the years, present to us as Members of the Senate evidence that we should censure a fellow Member.

After all, I believe Senator McCARTHY has been given his day in court. I believe he has been given more than his day in court. The select committee is at least the fifth committee that has had



something to do with investigating some of the antics of the junior Senator from Wisconsin.

Mr. CASE. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state it.

Mr. CASE. Perhaps I should preface my question by asking the Senator from Oklahoma whether he referred to crocodile tears and insincerity on the part of a Senator. He made reference to the Christmas season.

Mr. MONRONEY. I did not say anything about insincerity.

The VICE PRESIDENT. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. I believe we have had an appeal to the Christmas spirit.

Mr. CASE. The Senator from Oklahoma referred to crocodile tears.

Mr. LEHMAN. Mr. President—

The VICE PRESIDENT. The Chair has stated that the time of the Senator from Oklahoma has expired. The senior Senator from Utah is in control of the time.

Mr. CARLSON. Mr. President, the chairman of the select committee is not in the Chamber. I suggest the absence of a quorum, and I ask unanimous consent that the time consumed in the calling of the quorum be not charged to either side.

The VICE PRESIDENT. Without objection, it is so ordered, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

|               |                |              |
|---------------|----------------|--------------|
| Abel          | Fulbright      | Martin       |
| Aiken         | George         | McClellan    |
| Anderson      | Gillette       | Millikin     |
| Barrett       | Goldwater      | Monroney     |
| Beall         | Green          | Morse        |
| Bennett       | Hayden         | Mundt        |
| Bridges       | Hendrickson    | Murray       |
| Brown         | Hennings       | Neely        |
| Burke         | Hickenlooper   | O'Mahoney    |
| Bush          | Hill           | Pastore      |
| Butler        | Holland        | Payne        |
| Byrd          | Hruska         | Potter       |
| Carlson       | Humphrey       | Purtell      |
| Case          | Ives           | Robertson    |
| Chavez        | Jackson        | Russell      |
| Clements      | Jenner         | Saltonstall  |
| Cooper        | Johnson, Colo. | Schoeppel    |
| Cotton        | Johnson, Tex.  | Scott        |
| Daniel, S. C. | Johnson, S. C. | Smith, Maine |
| Daniel, Tex.  | Kefauver       | Smith, N. J. |
| Dirksen       | Kerr           | Sparkman     |
| Douglas       | Kilgore        | Stennis      |
| Duff          | Knowland       | Symington    |
| Dworschak     | Kuchel         | Thye         |
| Eastland      | Langer         | Watkins      |
| Ellender      | Lehman         | Welker       |
| Ervin         | Long           | Williams     |
| Ferguson      | Magnuson       | Young        |
| Flanders      | Malone         |              |
| Frear         | Mansfield      |              |

The VICE PRESIDENT. A quorum is present. The Senator from Utah [Mr. WATKINS] has 21 minutes remaining, and the Senator from New Hampshire [Mr. BRIDGES] has 5 minutes remaining.

Mr. LEHMAN. Mr. President, will the Senator from Utah yield me 5 minutes?

Mr. WATKINS. I promised first to yield to the Senator from Michigan [Mr. POTTER]. I yield 5 minutes to him.

Mr. POTTER. I thank the distinguished chairman of the select committee for affording time to make a statement on the pending resolution and on the pending amendment.

First, I should like to commend the chairman and the other members of the

select committee for undertaking a job which certainly no Member of the Senate would voluntarily assume. It is a job which has brought to various Members of the Senate much abuse of an emotional nature. I admire their fortitude and their fairness in submitting their report to the Senate.

As to the question relating to General Zwicker, no greater insult can be hurled at a military man or one more calculated to destroy his reputation than to say, whether he be a general or a private, that he is unfit to wear the uniform of his country. I am sure that if I had been in uniform and such a statement had been made to me, my reaction would have been much more violent than was that of General Zwicker.

We have heard a great deal said about the prestige, the honor, and the dignity of the Senate. When we, with the power of a subpoena, summon a citizen of this country to appear before a congressional committee, that citizen, whether he be a private, or a general, or a civilian, has every right to expect courtesy and fair treatment from a dignified body.

I hold no brief for the leadership of the Army in this instance. They have bungled, by being evasive, the entire question of General Zwicker and Major Peress. I would not be standing here today speaking as I am if the spleen of the junior Senator from Wisconsin had been directed to the responsible persons in the Army who prohibited General Zwicker from testifying. I hold no brief for their actions; but what was done was much like whipping a grandchild for the actions of his grandfather. It was a case where General Zwicker was under orders from his superiors in the Army not to testify on certain matters. If he had testified, he would have acted in violation of those orders. I am sure all Senators know the pattern of military service, and that a soldier does not violate orders of his superiors. If the spleen of the junior Senator from Wisconsin had been directed against Secretary Stevens or John Adams in this case, I would have no quarrel. But here was a man who, though acting under orders from his superiors, was humiliated by the statement that he was not fit to wear his uniform when, as a matter of fact, he was under orders not to testify.

I understand that another amendment will be offered. I have no knowledge of what that amendment will provide, but I would feel derelict in my duty if I let this opportunity pass without expressing my sentiments, because the people of the country would assume that the Senate of the United States condones and approves of a committee representing the Senate referring to an officer in uniform as unfit to wear that uniform, when he was carrying out the orders and directives of his superiors.

Mr. WATKINS. Mr. President, I yield 5 minutes, first, to the Senator from New York [Mr. LEHMAN], and then 2 minutes to the Senator from Arkansas [Mr. McCLELLAN].

First, Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WATKINS. Will the Chair advise how much time I shall have left after those subtractions have been made?

The VICE PRESIDENT. After the two Senators have completed their remarks, the Senator from Utah will have 7 minutes remaining. The Senator from New Hampshire [Mr. BRIDGES] will have 5 minutes remaining.

Mr. WATKINS. Mr. President, how much time has the Senator from Oklahoma [Mr. MONRONEY] used? I allotted, as I remember, 5 minutes to him, and then 2 or 3 additional minutes.

The VICE PRESIDENT. The Senator from Oklahoma used 9 minutes.

Mr. WATKINS. I happened to be required to leave the chamber for a moment—

The VICE PRESIDENT. The Senator from Oklahoma has used 9 minutes.

Mr. WATKINS. Then I shall have to cut down on the time of the Senator from New York.

Can he make his speech in 3 minutes?

Mr. LEHMAN. That is agreeable.

The VICE PRESIDENT. The Senator from New York [Mr. LEHMAN] is recognized for 3 minutes.

Mr. LEHMAN. Mr. President, I wish to speak briefly on this subject. I have very little time. I particularly wish to associate myself, however, with the remarks of my distinguished colleague from Oklahoma [Mr. MONRONEY] and of the able Senator from Michigan [Mr. POTTER].

It seems to me that the censure resolution which we are now considering directs its attention to the two phases. One is the honesty, the dignity, the patriotism, the loyalty, and the good faith of the Members of the Senate.

I expect to vote for the proposed section 3, which will be introduced by the junior Senator from Utah [Mr. BENNETT], because I believe that the charges it contains against the junior Senator from Wisconsin are justified on the ground that he has impugned the good faith, the patriotism, the loyalty, and the good will, not only of the select committee but of the entire body of the Senate.

The second ground on which many of us are basing charges is that the junior Senator from Wisconsin has abused the rights of citizens of this country.

Together with some of my colleagues, I have been fighting for several years for a fair code of procedure by committees—a code which will permit investigating committees to proceed with their legitimate work, but at the same time will protect the rights of all citizens. I can say to the Senate, Mr. President, that if we now cut ourselves off from voting any censure because of abuse of a citizen, whether he wears a uniform or whether he does not, I believe we shall have weakened ourselves very greatly in the country.

In a speech which I delivered on the floor of the Senate 2 days ago, I said the following:

It is not the junior Senator from Wisconsin who is on trial here before us. It is we who are on trial. We, the Senate of the United States, are on trial at the bar of public opinion in our own country and at the bar of world opinion, too.

I said that in all solemnity. I believe we have a duty to protect both the dignity and the reputation of this great deliberative body, but I believe that of equal importance is our duty to protect the rights provided under our Constitution and our Bill of Rights to every man and woman in this country.

Therefore, Mr. President I shall vote against the motion to table section 2 of the resolution.

Mr. McCLELLAN. Mr. President—

The VICE PRESIDENT. The Senator from Arkansas is recognized for 2 minutes.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McCLELLAN. If the motion of the able Senator from New Hampshire [Mr. BRIDGES] to table the committee amendment is rejected, will the committee amendment still be subject to further amendment or can a substitute be offered for it?

The VICE PRESIDENT. The Senator is correct.

Mr. McCLELLAN. Mr. President, if I had no alternative except to vote for the motion to table or for the committee amendment in its present form, I would vote for the motion to table.

I oppose the committee amendment in its present form. I think it is too strong, in that it uses the word "censure." I am willing to vote for censure where censure is merited. I intend to vote for censure on section 1 on final passage, as I voted yesterday for the adoption of section 1. I intend to support the amendment which I understand will be proposed by the junior Senator from Utah [Mr. BENNETT] with respect to the misconduct of the junior Senator from Wisconsin during these proceedings. I believe censure is fully warranted on the charges contained in section 1, and those contained in the proposed Bennett amendment.

But I do not believe, under the attending circumstances, that censure is warranted in the Zwicker charge. I disavow and disapprove the actions of the junior Senator from Wisconsin on that occasion, but I have resolved in this matter not to serve in the role of prosecutor or in the role of defender, but to try to do my duty as a member of this court, free from bias or prejudice and on the basis of the facts and the record that to me establish misconduct or acts unbecoming a United States Senator.

Under those circumstances, I believe that where there is any reasonable or substantial doubt, that doubt should be resolved in favor of the junior Senator from Wisconsin. I resolve the doubt on section 2 in its present form in his favor. But I do not approve of the procedure to table, except if that should be the only alternative.

Therefore, I shall vote against the motion to table section 2. On final action on section 2, unless it be substantially modified, I shall vote against the adoption of the amendment.

The VICE PRESIDENT. The time of the Senator from Arkansas has expired.

Mr. WATKINS. I yield 1 minute to the distinguished Senator from Maine [Mrs. SMITH].

Mrs. SMITH of Maine. Mr. President, my remarks shall be brief. I shall merely repeat what I said 4½ years ago on June 1, 1950, on this floor, for it applies with great force to the issue on which we are about to vote.

It is ironical that we Senators can in debate in the Senate, directly or indirectly, by any form of words, impute to any American who is not a Senator, any conduct or motive unworthy or unbecoming an American—and without that non-Senator American having any legal redress against us—yet if we say the same thing in the Senate about our colleagues we can be stopped on the ground of being out of order.

It is strange that we can verbally attack anyone else without restraint and with full protection, and yet we hold ourselves above the same type of criticism here on the Senate floor.

Mr. BRIDGES. Mr. President, I yield 3 minutes to the distinguished junior Senator from Arizona.

Mr. GOLDWATER. Mr. President, I said earlier in the debate that this trial had a peculiar aspect to me, in that we were dealing with upside-down facts. As we have progressed up to the point of deciding on the second part of the resolution of censure, I am more convinced than ever that we are a little befuddled. We are looking at things through an upside-down mirror. To attempt to prove this I shall read that part of the resolution offered by the senior Senator from Utah [Mr. WATKINS] which was agreed to, which states that the junior Senator from Wisconsin has "repeatedly abused the subcommittee and its members who were trying to carry out assigned duties."

I should like to have the Senate consider exactly what General Zwicker was doing to the subcommittee when the junior Senator from Wisconsin had him before the committee. The Senator from Wisconsin was the chairman of a subcommittee duly authorized by this body. He was attempting to ferret out information from the armed services about a certain Major Peress. Yet General Zwicker sat there and defied the representative of this body.

Yesterday we censured the junior Senator from Wisconsin for repeatedly abusing the subcommittee and its members who were trying to carry out assigned duties. Today we are attempting to glorify a member of the armed services who appeared before the subcommittee and abused a Member of the Senate. I was happy to hear the distinguished Senator from Colorado [Mr. JOHNSON] admit the other day, under questioning, that he felt that the junior Senator from Wisconsin had some reason to use, possibly not the language he used, but certainly some language to indicate his displeasure of the position which General Zwicker took.

I have heard Senators on the floor decry the abuse of witnesses. I should like to refresh senatorial minds as to the abuse which was heaped upon a nominee for the National Labor Relations Board

by the name of Beeson, who was repeatedly called a liar. That was one of the more gentle terms used. Yet the members of the committee which considered his nomination have not been dragged up for censure.

Mr. LEHMAN. Mr. President, will the Senator from Arizona yield?

Mr. GOLDWATER. No; I do not yield.

Yes, today we are dealing with upside down values. We hear it said that we are not allowed to bring representatives of the executive department before Congress for questioning. Since when cannot a member of the executive branch of the Government be questioned by the representatives of the people? The fact that a person wears the uniform of a general or of a private, or even the dress of an ordinary citizen, makes no difference when the Senate or the House is attempting to get information about the executive branch, or any other branch of Government, in an effort to better the lives of all the people.

I suggest again that we are dealing here with a dangerous thing, with a matter which is completely upside down. We are out in a sea of human emotions. We are blinded to what we might do to the Senate by censuring the junior Senator from Wisconsin on this count.

Mr. CASE. Mr. President, the Senator from New Hampshire is temporarily absent from the floor, but he stated to me that I might have 2 minutes.

Mr. BRIDGES. The Senator from New Hampshire wishes to save one of his minutes. I yield 1 minute to the junior Senator from South Dakota.

Mr. CASE. Mr. President, I wish to make it clear that I do not approve of the language which the junior Senator from Wisconsin used, but I do not think the Zwicker matter can be separated from the Peress matter. General Zwicker was before the subcommittee headed by the junior Senator from Wisconsin to give answers to questions about the discharge of Major Peress.

Secretary of Defense Wilson, in his letter to the Senate Committee on Armed Services on March 31, 1954, said:

My review of all the available facts in this case makes it appear that this judgment was faulty.

The entire paragraph in which that sentence was included is as follows:

As to the type of discharge given Dr. Peress, the Army reports that an honorable discharge was selected because it was the quickest method to get him out of the service and because in the opinion of the Judge Advocate General, court-martial action was not clearly justified, and that board action, even after protracted proceeding, might not result in a finding that would warrant a less than honorable discharge. My review of all the available facts in this case makes it appear that this judgment was faulty.

Secretary of the Army Stevens, in his letter to me dated November 24, 1954, which I placed in the RECORD last night, said:

The Peress case was handled badly and I took prompt measures, after returning from the Far East, to preclude the possibility of a recurrence of such a situation.



But, Mr. President, when the junior Senator from Wisconsin had General Zwicker before him on February 18, he had the letter of Secretary Stevens, who said that his letter had got there too late. The two matters cannot be separated. The Zwicker matter was the outgrowth of the Peress discharge. That is why they cannot be separated.

The VICE PRESIDENT. The time of the Senator from South Dakota has expired.

Mr. BRIDGES. Mr. President, I am ready for the vote.

Mr. KNOWLAND. I ask for the yeas and nays on the pending motion.

The yeas and nays were ordered.

Mr. KNOWLAND. Mr. President, is there any time remaining?

The VICE PRESIDENT. The Senator from Utah has 9 minutes remaining; the Senator from New Hampshire has 1 minute remaining.

Does the Senator from Utah desire to yield additional time?

Mr. WATKINS. Another Senator has asked for time. Do I understand correctly that I have 9 minutes remaining?

The VICE PRESIDENT. The Senator from Utah has 9 minutes remaining; the Senator from New Hampshire has 1 minute remaining, but he has stated that he is ready to vote.

Mr. WATKINS. May we have order, Mr. President?

The VICE PRESIDENT. The Senate will be in order.

Mr. WATKINS. The select committee made some definite recommendations with respect to section 2. The committee, by reason of the parliamentary situation which was created by the motion of the Senator from New Hampshire to table, was not able to present any modifications of the recommendations it had made with respect to the second amendment. In that situation, it seems to me the committee has been cut off from the possibility of presenting what it would have liked to present in the regular order before the motion to table was made. However, the subject has now been debated somewhat on the merits.

The committee, at a previous informal group meeting, decided to submit a modification, which I understand will not be allowed to come to a vote. I shall submit the language which would have modified section 2, as follows:

SEC. 2. The Senator from Wisconsin [Mr. McCARTHY], in conducting a senatorial inquiry intemperately abused, and released a résumé of executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows and condemns the denunciation of General Zwicker by Senator McCARTHY as chairman of a Senate subcommittee.

The words that have been added on line 2 are "a résumé of."

Then, at the end of line 17, a period has been placed after the word "sub-

committee", and the words "and censures him for that action" have been stricken. That is the modification. I take it that the modification can be accepted.

Mr. WELKER. Mr. President, a parliamentary inquiry.

Mr. WATKINS. Mr. President, I take it the time for the parliamentary inquiry will come out of someone else's time. I object to the time coming out of my time.

Mr. WELKER. Mr. President, I ask the senior Senator from New Hampshire to yield me one-half minute in order that I may make a parliamentary inquiry.

Mr. BRIDGES. Mr. President, I yield one-half minute to the Senator from Idaho for a parliamentary inquiry.

Mr. WELKER. Is the modification as presented and read by the distinguished Senator from Utah in order?

The VICE PRESIDENT. The Chair rules that since the yeas and nays have not been ordered on the amendment—

Mr. WELKER. Yes; they have.

The VICE PRESIDENT. Since the yeas and nays have not been ordered on the committee amendment, the Chair rules that up until the yeas and nays have been ordered on the committee amendment the chairman of the committee, acting by direction of the committee, has a right to modify the amendment. So, under the circumstances, the chairman of the committee may modify the amendment. Unanimous consent is not required for such modification. The motion to table then will operate on the amendment as modified.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

Mr. WATKINS. I take it the time used in parliamentary inquiries will be taken out of the time of the Senate, and not out of the time allotted to the committee.

Mr. BRIDGES. Mr. President, I have only a half minute left, but I shall be glad to yield that half minute to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DIRKSEN. If the new language is offered in lieu of the language which appears in the committee print, does that call for another hour of debate?

The VICE PRESIDENT. No; it does not.

Mr. DIRKSEN. It does not?

The VICE PRESIDENT. Not under the circumstances.

Mr. DIRKSEN. I point out that it is new language. There is a substantial change suggested in the language just offered by the chairman of the select committee. It would appear to me that, under the unanimous-consent agreement, the Senate should be entitled to debate the proposal.

The VICE PRESIDENT. The Chair informs the Members of the Senate that it is a rule that any Senator may modify his amendment, and that modification may be made without unanimous consent and without debate when a unani-

mous-consent agreement has been entered into. Under present circumstances, when the chairman of a committee, acting by direction of the committee, requests that he may modify his amendment, he has a right to modify the amendment, and no debate is required on such modification.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DIRKSEN. Technically speaking, does not this proposal to modify the language take the status of a motion, under the general rules of the Senate?

The VICE PRESIDENT. It is a right conferred by the procedures of the Senate, and it is not a motion within the purview of the unanimous-consent agreement. As the Senator may recall, yesterday a similar situation arose when the Senator from Utah modified the first section of the committee amendment. Any Senator at any time may modify an amendment which he has offered, unless the yeas and nays have been ordered upon it, or unless it has been amended previously.

Mr. WATKINS. Mr. President, in order to be sure that the language is accurately understood, I send to the desk a copy of the amendment as it would read after the modification. I desire the amendment in that form to be made the pending question.

The VICE PRESIDENT. For the information of the Senate, the clerk will state the committee amendment as now modified.

Mr. WATKINS. I understand the time will be taken from the time of the Senate instead of my time.

The LEGISLATIVE CLERK. As modified, the amendment of Mr. WATKINS, on behalf of the committee, reads as follows:

SEC. 2. The Senator from Wisconsin [Mr. McCARTHY] in conducting a senatorial inquiry intemperately abused, and released a résumé of executive hearings in which he denounced, a witness representing the executive branch of the Government, Gen. Ralph W. Zwicker, an officer of the United States Army, for refusing to criticize his superior officers and for respecting official orders and executive directives, thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government; and the Senate disavows and condemns the denunciation of General Zwicker by Senator McCARTHY as chairman of a Senate subcommittee.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. RUSSELL. I should like to ask the Chair if an amendment or a substitute to the entire proposal as it has now been modified by the committee is in order.

The VICE PRESIDENT. The motion to table is now the pending question. Once the motion to table is acted on, a motion to substitute will be in order.

Mr. RUSSELL. I did not understand the last part of the Chair's ruling.

The VICE PRESIDENT. The motion to table is now the pending question before the Senate. If the motion to

table is rejected when it is acted on, then a motion to substitute will be in order.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. If the motion to table should carry, it would table charge No. 2. If the motion to table should not carry, in the light of the modification of the Senator from Utah [Mr. WATKINS], would further amendments be in order, or would they be amendments in the third degree?

The VICE PRESIDENT. The amendments would be amendments in the second degree, and would be in order.

Mr. RUSSELL. Mr. President, I ask unanimous consent that I be permitted to make a statement of not more than 1 minute.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Georgia may proceed.

Mr. RUSSELL. Mr. President, when I first read the report of the committee, I decided that I could not support the part of the resolution which is embraced in section 2 unless something was brought to my attention convincing me that I should do so. I do not like to vote to table the proposal. Therefore, I shall vote against the motion to table, but if that motion is lost, I shall then vote against count 2, even as modified by the committee.

I desired to make this statement in case the motion to table did carry, and my position on the matter might have been obscure.

Mr. DANIEL of Texas. Mr. President, I ask unanimous consent that I may have half a minute to make a statement.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator from Texas may proceed.

Mr. DANIEL of Texas. Mr. President, I associate myself with the remarks made by the distinguished Senator from Georgia. I am opposed to, and shall vote against, the second count, which relates to the Zwicker cross-examination, but I shall vote against the motion to table. I understand a substitute will be offered if the motion to table is defeated.

I should like to ask the Senator from Utah [Mr. BENNETT] if it is correct that a substitute will be offered if the motion to table is defeated.

Mr. BENNETT. Mr. President, if the motion to table is defeated, it is my intention to offer the amendment which has been printed and which lies on the table as a substitute for section 2, with some minor internal changes in my own amendment.

Mr. DANIEL of Texas. I thank the Senator.

The VICE PRESIDENT. The time yielded to the Senator from Texas has expired.

Mr. FERGUSON. Mr. President, I ask unanimous consent that I may speak at this time for one-half minute.

The VICE PRESIDENT. Is there objection? Without objection, the Senator from Michigan may proceed.

Mr. FERGUSON. Mr. President, I shall vote against the motion to table

because I feel that my vote should come directly on count 2. If the motion to table is rejected, I shall vote against count 2.

Mr. WELKER. Mr. President, will the Senator from New Hampshire yield to me his remaining one-half minute?

Mr. WATKINS. Mr. President, I am willing to yield some time to the Senator from Idaho.

Mr. WELKER. Mr. President, I did not request time from the Senator from Idaho; I requested it from the Senator from New Hampshire.

Mr. BRIDGES. Mr. President, I yield one-half minute to the Senator from Idaho. However, inasmuch as numerous requests to yield have been made of me, and have been acceded to by me, I may ask for additional time for myself.

The VICE PRESIDENT. The Senator from Idaho is recognized for one-half minute.

Mr. WELKER. Mr. President, I desire to make only an observation. We are here as some sort of judicial body; no one can define just what it is. In the entire history of Anglo-Saxon law, this practitioner of law knows of no instance of a modification or amendment of a charge being made without giving the defendant time to study it and to prepare his defense to it. I wish to bring that point to the attention of the Senate, because I think such a practice is a vicious one.

Mr. WATKINS. Mr. President—

The VICE PRESIDENT. For the information of the Senator from Utah, he has 9 minutes remaining.

Mr. WATKINS. Mr. President, I yield 2 minutes to the junior Senator from Utah [Mr. BENNETT].

The VICE PRESIDENT. The junior Senator from Utah is recognized for 2 minutes.

Mr. BENNETT. Mr. President, the purpose for which I asked my colleague to yield to me has already been achieved by my answer to the Senator from Texas [Mr. DANIEL], namely, when I stated that if the motion to table is defeated, it is my intention to offer as an amendment to count 2 substantially the language of the amendment I had prepared to offer as a third section of the resolution.

Mr. ROBERTSON. Mr. President, will the Senator from Utah permit me to ask a brief question?

Mr. BENNETT. Certainly.

Mr. ROBERTSON. When the Senator from Utah offers that motion will it be accepted by the chairman of the select committee?

Mr. BENNETT. I cannot speak for him; but I am acting with almost complete faith that all Senators who would have voted for my amendment, if it had been offered as the third section of the resolution, will vote for it if it is offered as a substitute for count No. 2 of the resolution.

Mr. McCLELLAN. Mr. President, will the Senator from Utah yield to me?

Mr. BENNETT. I am glad to yield.

Mr. McCLELLAN. The Senator from Utah has said he will offer it as an amendment to section 2 of the resolution. Does he mean he will offer it as a substitute for section 2?

Mr. BENNETT. Because of the parliamentary situation, I shall offer it as an amendment; but because of a happy accident of language, it will be, in effect, a complete substitute, even though it is offered in the form of an amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. If the procedure proposed to be followed by the junior Senator from Utah should prevail, there would then be no direct vote on charge No. 2, as originally presented by the select committee or as modified, as I understand. Is that correct? In other words, if the amendment were adopted, there would then be no direct vote on the so-called charge No. 2, relating to General Zwicker. Is that correct?

The VICE PRESIDENT. The Senator from California is correct in the sense that the vote then will come on the substitute finally; and there would be no direct vote, as the Senator from California has said, on section 2 as it has been modified.

Mr. BENNETT. Mr. President, my colleague, the senior Senator from Utah, yielded to me a specific amount of time. I now yield the floor, so as to restore to him the time remaining from the time he has yielded to me.

Mr. WATKINS. Mr. President—

Mr. BUSH. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. For what purpose does the Senator from Connecticut request that I yield to him?

Mr. BUSH. I wish to inquire what the position of the senior Senator from Utah is with respect to the suggestion which has been made by his colleague, the junior Senator from Utah.

Mr. WATKINS. The committee took a stand on count No. 2, which now has been modified by adding 1 or 2 words and by striking out 1 or 2 words. However, at this time it is in substance what it was before, except it removes the statement of censure, and includes a statement of condemnation and the words "a résumé of," before the words "executive hearings." The junior Senator from Wisconsin himself criticized that particular statement because he said it was not in line with what he said that facts were. I think he is right about that, and count No. 2 has now been amended by inserting the words "a résumé of."

Mr. CASE. Mr. President, may I ask a question of the Senator from Utah?

Mr. WATKINS. Certainly.

Mr. CASE. Does that count now also include the words "and condemns?"

Mr. WATKINS. That is correct. Those words are added in place of the declaration of censure, at the end of that particular sentence.

The committee is in this position: It presented in good faith amendment No. 2; but it now appears that by reason of this particular amendment, there may be some doubt about the final adoption of the censure resolution. Under those circumstances, in so far as I personally am concerned, I shall leave it entirely to the Senate to vote as it pleases—which,



of course, the Senate has a right to do in any case.

I shall vote against the motion to table, and I think all Members of the Senate should vote against that motion. I have not abandoned the principles for which I stood in connection with the entire matter. I think the treatment of General Zwicker merited rebuke by the Senate.

To many Senators who have announced that they could not support that particular count, I have pointed out that they do not approve of what happened there, but evidently they do not feel that that action merited censure. Of course, each Senator is entitled to vote his convictions in the matter; but I can not say, on behalf of the committee, that I can accept the amendment of the junior Senator from Utah [Mr. BENNETT]. On the other hand, the Senate itself can accept it, if it so desires.

Mr. CASE. Mr. President, will the Senator from Utah yield further to me?

Mr. WATKINS. I yield for a question.

Mr. CASE. Let me ask the Senator from Utah how he refers to the adoption of a censure resolution which would have for its main substance section 1, which uses the word "condemn," and when he now proposes that section 2 be modified by including the words "and condemn"? How does the Senator from Utah think that modification will modify the censure proposed in section 2?

Mr. WATKINS. The modification strikes out the word "censure."

Mr. CASE. Yes; but then we come to the words "and condemn" in section 1, although the Senator from Utah still refers to the resolution as a censure resolution.

Mr. WATKINS. That is a difference of semantics. Some persons believe that "condemn" is a stronger word than "censure"; and some persons believe that "censure" is a stronger word than "condemn." I do not know which is which.

Mr. WELKER. Mr. President, will the Senator from Utah yield one-fourth of a minute to me, so I may clarify that situation?

Mr. WATKINS. I yield one-fourth of a minute to the Senator from Idaho, for that purpose.

Mr. WELKER. Being a practitioner of law, as is the Senator from Utah, he certainly knows that a man is never censured to death. On the contrary, a man is condemned to death. That indicates the difference between the two words.

Mr. WATKINS. Very well; I accept that effort on the part of the Senator from Idaho to clarify the difference between the meaning of the two words.

Mr. CASE. Mr. President, will the Senator from Utah yield further to me?

Mr. WATKINS. I yield.

Mr. CASE. Nothing I have said would indicate that I approve the language Senator McCARTHY used with respect to General Zwicker.

I have thought that if the amendment were to be modified, and if the Senator from Utah wished to make some expression with regard to General Zwicker or the treatment of witnesses, it should be

made in language along the line of the following:

That the junior Senator from Wisconsin [Mr. McCARTHY], in conducting a senatorial inquiry, intemperately denounced a witness representing the executive branch of the Government, thereby destroying the good faith which must be maintained between the executive and legislative branches in our system of government. The Senate disavows the denunciation of General Zwicker by the junior Senator from Wisconsin [Mr. McCARTHY], as chairman of a Senate committee, and disapproves the use of intemperate language toward witnesses generally, in senatorial inquiries.

My feeling is that we could disavow that action, and could say we disapprove of the use of intemperate language in all instances, whether such language is addressed to witnesses representing the executive branch of the Government or whether it is addressed to other witnesses.

However, if we proceed to condemn the chairman of a Senate committee under the circumstances existing in the case of General Zwicker, when both the Secretary of the Army and the Secretary of Defense have said that case was badly handled, and when the chairman of a Senate committee was slighted by a responsible Army staff, in favor of a request from a man such as Peress, we shall be establishing a very poor precedent.

Mr. THYE. Mr. President, will the Senator yield half a minute to me?

Mr. WATKINS. Mr. President, so far as I am concerned, in view of the direction in which we are headed, rather than run the risk of the possibility that no resolution at all may be adopted, I am willing to go along with the amendment of the junior Senator from Utah. Let it be understood that I am not abandoning any principles, but we are confronted with a practical situation. I urge the Senate to vote down the motion to table.

Mr. President, have I any time left?

The VICE PRESIDENT. The Senator has 1½ minutes remaining.

Mr. WATKINS. I yield 1 minute to the Senator from Minnesota.

Mr. THYE. Mr. President, I find that I shall have to vote against the motion to table, but I would not vote for section 2 in its present form. Therefore I shall vote against the motion to table in the hope that we can amend or perfect section 2 before it is necessary to vote on the resolution.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. If the motion of the Senator from New Hampshire to table section 2 should prevail, would the resolution itself then be open to further amendment? Would the amendment of the junior Senator from Utah [Mr. BENNETT] then be in order?

The VICE PRESIDENT. The Senator is correct. If the motion to table prevails, the Senator from Utah may offer his amendment to the resolution, and accomplish the same result.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DIRKSEN. If the pending motion to table does not prevail, and the junior Senator from Utah receives primary recognition to offer a substitute, is it true that there will be no other opportunity for the Senate to vote directly upon section 2 of the pending resolution? And is it further true that the only way to obtain a direct vote on section 2 would be to move to strike out the section? Whichever Senator makes the motion, he would have to be primarily recognized before the junior Senator from Utah could submit his substitute language.

The VICE PRESIDENT. If the Senator from Utah obtains recognition and offers his amendment as a substitute for section 2, it is correct that a direct vote on the merits of section 2 will not come before the Senate.

Mr. DIRKSEN. So the only way there might be a direct vote on the provisions of section 2 would be in connection with the pending motion to table.

The VICE PRESIDENT. That is certainly the most direct way.

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. FERGUSON. Would it not be a fact that if some other Senator obtained the floor and made a motion to strike section 2 prior to the offer by the junior Senator from Utah of his substitute, the vote then would come on the motion to strike section 2?

The VICE PRESIDENT. The Senator is correct.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. Will the Senator from Michigan restate his parliamentary inquiry?

Mr. FERGUSON. The parliamentary inquiry is this: If some other Senator obtains recognition prior to recognition of the junior Senator from Utah, and makes a motion to strike section 2, will not the vote then come on the motion to strike section 2, and would not the amendment of the junior Senator from Utah be out of order while the motion to strike was pending?

The VICE PRESIDENT. The Chair did not understand the first inquiry submitted. The Chair had previously ruled on that question. The Senator from New Hampshire [Mr. BRIDGES] made such a motion earlier. The Chair ruled it out of order, on the ground that a vote on the committee amendment itself would accomplish the same result, because a vote of "nay" on the committee amendment would be, in effect, a vote to strike the committee amendment. Therefore, a motion to strike would not be in order.

Mr. JOHNSON of Texas. Mr. President, may we have the regular order, if the Chair has rendered his decision, in order that we may avoid too many arguments?

The VICE PRESIDENT. The Chair is inclined to be as generous as possible, so that Senators may be fully informed.

Mr. JOHNSON of Texas. Mr. President, when a Senator asks for the regular order, is it a question of the generosity of the Chair, or the rules of the Senate?

The VICE PRESIDENT. The Senator is correct.

The Senator from Utah has 1 minute remaining, and the Senator from New Hampshire has half a minute remaining. Does the Senator from Utah desire to use any more time?

Mr. WATKINS. I shall be glad to yield back the remainder of my time, unless some other Senator wishes to be heard.

Mr. PURTELL. Mr. President, will the Senator from Utah yield to me?

Mr. WATKINS. I yield.

Mr. PURTELL. Does the Senator from Connecticut correctly understand the present situation to be that we are about to vote on the motion to table; and that if the motion to table does not prevail, we may never have an opportunity of acting upon the substance of section 2, which deals with the Zwicker case?

The VICE PRESIDENT. If all amendments to section 2 are voted down, then the Senator is not expressing the parliamentary situation correctly, because if all amendments to section 2 are voted down, the vote will then come on section 2.

Mr. PURTELL. The Senate has already been advised that substitutes will probably be offered which do not contain the substance of the present section 2. So if the motion to table is defeated, the likelihood is that the Senate will have no other opportunity to express itself in connection with the Zwicker section.

The VICE PRESIDENT. That depends upon how the votes occur on the substitutes which are offered. If the substitutes are defeated, the Senate will then have an opportunity to vote on section 2 directly.

Mr. CASE. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it. Does the Senator from Utah yield to the Senator from South Dakota for the purpose of a parliamentary inquiry?

Mr. WATKINS. If it is a parliamentary inquiry, it ought to be on the time of the Senate. I am willing to yield some part of the time remaining. I cannot tell what inquiries may arise. I may need further time.

I yield 1 minute to the Senator from South Dakota [Mr. CASE].

Mr. CASE. Mr. President, as I understand, the parliamentary situation is this: Assuming that action were completed on the present section 2 and the substitute, and that it were disposed of, could not any individual Senator then offer an amendment as an additional section to the resolution, embodying something relating to the Zwicker matter, if he so desired?

Mr. DIRKSEN. Mr. President—

Mr. BRIDGES. Mr. President, the Senator from New Hampshire yields his remaining half minute to the Senator from Illinois [Mr. DIRKSEN] to clarify the situation.

Mr. DIRKSEN. Mr. President, it is my understanding that under an earlier ruling of the Chair a vote either to accept or reject section 2 is the equivalent of acting on a motion to strike. Therefore, a motion to strike section 2 would not be in order.

The VICE PRESIDENT. The Senator is correct.

Mr. DIRKSEN. I think it follows from that that the only direct vote on section 2 in its amended form, in language suggested by the senior Senator from Utah, would be in connection with the pending motion to table. I am speaking now of the language which is at present before the Senate. There can be a direct vote on that language only in connection with the motion to table.

The VICE PRESIDENT. The time of the Senator has expired. All time has expired.

The question is on agreeing to the motion of the Senator from New Hampshire [Mr. BRIDGES] to lay on the table section 2 of the committee amendment. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORDON] is absent on official business, and the junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

On this vote, the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "yea," while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Tennessee [Mr. GORE] is paired on this vote with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "nay," and the Senator from Ohio would vote "yea."

The Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "nay," and the Senator from Indiana would vote "yea."

The result was announced—yeas 33, nays 55, as follows:

#### YEAS—33

|         |        |          |
|---------|--------|----------|
| Abel    | Brown  | Dirksen  |
| Alken   | Butler | Dworshak |
| Barrett | Case   | Eastland |
| Beall   | Chavez | Ellender |
| Bridges | Cotton | Fear     |

Goldwater  
Hickenlooper  
Hruska  
Jenner  
Knowland  
Kuchel

Langer  
Malone  
Martin  
Millikin  
Mundt  
Payne

Purtell  
Saltonstall  
Schoeppel  
Welker  
Williams  
Young

#### NAYS—55

|               |                 |              |
|---------------|-----------------|--------------|
| Anderson      | Hayden          | Monroney     |
| Bennett       | Hendrickson     | Morse        |
| Burke         | Hennings        | Murray       |
| Bush          | Hill            | Neely        |
| Byrd          | Holland         | O'Mahoney    |
| Carlson       | Humphrey        | Pastore      |
| Clements      | Ives            | Potter       |
| Cooper        | Jackson         | Robertson    |
| Daniel, S. C. | Johnson, Colo.  | Russell      |
| Daniel, Tex.  | Johnson, Tex.   | Scott        |
| Douglas       | Johnston, S. C. | Smith, Maine |
| Duff          | Kefauver        | Smith, N. J. |
| Ervin         | Kerr            | Sparkman     |
| Ferguson      | Kilgore         | Stennis      |
| Flanders      | Lehman          | Symington    |
| Fulbright     | Long            | Thye         |
| George        | Magnuson        | Watkins      |
| Gillette      | Mansfield       |              |
| Green         | McClellan       |              |

#### NOT VOTING—8

|          |          |          |
|----------|----------|----------|
| Bricker  | Gore     | Smathers |
| Capehart | Kennedy  | Wiley    |
| Cordon   | McCarthy |          |

So Mr. BRIDGES' motion to lay on the table section 2, as modified, was rejected.

Mr. BENNETT. Mr. President, I send a proposed amendment to the desk. It is to section 2 of the amendment to the resolution. I ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment.

The CHIEF CLERK. On page 2 of the committee amendment, as modified, it is proposed to strike out all after the first line of section 2, which is line numbered 6, and insert in lieu of lines 7 to 17, inclusive, the following: "writing to the chairman of the Select Committee To Study Censure Charges [Mr. WATKINS] after the select committee had issued its report and before the report was presented to the Senate charging three members of the select committee with 'deliberate deception' and 'fraud' for failure to disqualify themselves; in stating to the press of November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a 'lynch party'; in repeatedly describing this special Senate session as a 'lynch bee' in a nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the select committee [Mr. WATKINS] was guilty of 'the most unusual, most cowardly thing I've heard of' and stating further: 'I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement'; and in characterizing the said committee as the 'unwitting handmaiden,' 'involuntary agent' and 'attorneys-in-fact' of the Communist Party and in charging that the said committee in writing its report 'imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization' in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the CONGRESSIONAL RECORD of November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to



impair its dignity; and such conduct is hereby condemned."

Mr. BENNETT. Mr. President, I yield myself such time as I may require to make an explanation of the amendment.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Utah yield in order that I may ask that the yeas and nays be ordered?

Mr. BENNETT. I yield.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the amendment of the junior Senator from Utah.

The yeas and nays were ordered.

The VICE PRESIDENT. The Senator from Utah [Mr. BENNETT] is recognized for 30 minutes, or for such of his 30 minutes as he may desire to use.

Mr. BENNETT. Mr. President, I gave notice to the Senate on November 16 that it was my intention to offer this amendment. It was offered when the Senate returned, after its recess, on November 29.

Mr. KNOWLAND. Mr. President, will the Senator from Utah yield for a parliamentary inquiry?

Mr. BENNETT. I shall be happy to do so if it does not come out of my time.

Mr. KNOWLAND. Mr. President, I think it is important to invite the attention of the minority leader to this point. As I understand, when an amendment is offered, the Senator proposing the amendment has 30 minutes. If the Senator from Utah [Mr. WATKINS] is in opposition, he has control over the other 30 minutes. If he is in support of the amendment, as he indicated he would be if it were acceptable to him, then the control of the time in opposition passes to the minority leader. It is my understanding that Senators on the other side of the question would have 30 minutes' time.

Mr. JOHNSON of Texas. Mr. President, I am totally unaware of any understanding on that particular subject, but I am anxious to avoid cutting any Senator's time to be used for the purpose of opposing an amendment. The Senator from California and I have found that has frequently happened. That is a situation unanimous-consent requests may get us into. But I am certainly going to abide by the spirit in which we have always operated.

Mr. BENNETT. Mr. President, when the Senate resumed its session on November 29, I submitted the language of a proposed amendment which contained substantially the same language as that now offered as an amendment to section 2. It seems to me that by its nature the amendment relates more definitely to section 1 than to any other section, although I think it is entirely proper that it should be offered as a replacement for section 2 in order to preserve this relationship.

During the discussion which has ensued since the time I proposed my original amendment up to the present time a number of questions have been raised, such questions as, first, that there has never been a precedent for this kind of a resolution; second, that no censure action has ever been instituted on the basis

of words alone; third, that the amendment had not been referred to a committee; fourth, that there had been inadequate time allowed for the junior Senator from Wisconsin to prepare his reply or defense; and, finally, that no censure resolution had actually ever been adopted on the basis of words alone.

I should like to point out to my colleagues that there is a precedent, and it is a very interesting one, almost an exact one. It is true that it did not arise in the Senate. It arose in our companion legislative body, the House of Representatives; but since the House is subject to the same constitutional restrictions and privileges regarding the discipline of its own Members, it seems to me that it is entirely appropriate to refer to it here.

In that particular case Thomas Blanton, a Democrat, who was a Representative from the 17th District of the State of Texas, was charged and finally censured. On October 4, 1921, he asked unanimous consent to have an extension of his remarks printed in the CONGRESSIONAL RECORD.

As I should like to point out, some of the things for which I believe the junior Senator from Wisconsin might be subject to criticism were contained in matter which he asked to have printed in the CONGRESSIONAL RECORD. Representative Blanton submitted his remarks, and they were printed in the Appendix of the CONGRESSIONAL RECORD on Saturday, October 22, 1921.

Mr. President, may he have order in the Senate?

The PRESIDING OFFICER (Mr. BUSH in the chair). The Senate will please be in order. The Senator from Utah may proceed.

Mr. BENNETT. Mr. President, on October 24, a Monday, the House, by a vote of 314 to 1, adopted a motion to expunge Mr. Blanton's extension of remarks. The next day, Tuesday, the 25th, a resolution was submitted for the expulsion of Representative Blanton. He was not present. That is a very interesting parallel. He was notified that on Thursday the resolution would be called up. It was called up without reference to a committee. He was allowed to address the House. The vote on expulsion was 204 to 113. The House even proposed to expel him for words. They lacked eight votes of the necessary two-thirds. So, as a substitute, a resolution of censure was offered and was adopted by a vote of 293 to 0.

So we have this interesting precedent in which the House censured a Member for words inserted in the CONGRESSIONAL RECORD.

Mr. Blanton was brought before the Speaker. The Speaker delivered the censure, and the next day Mr. Blanton apologized to the House. Mr. Blanton had much less time in which to answer than the junior Senator from Wisconsin has had. I think 5 days elapsed from the time of Blanton's original statement, and 2 days elapsed from the time of the introduction of the resolution.

Unfortunately, we have no way of comparing the language which Mr. Blanton introduced into the RECORD with that of which the junior Senator from Utah has complained, because Mr. Blan-

ton's language was officially expunged. We have searched the newspapers and other potential available sources of information at the time, but can find nothing to indicate the exact words used.

I wish to say at this point that, of course, I do not believe the language complained of, as having been uttered by the junior Senator from Wisconsin, is obscene. There may be a source of serious difference of opinion there. But I think the precedent stands upon the point that Mr. Blanton's case was one in which the House acted on the basis of language contained in an insertion in the RECORD, on the basis of words alone, as apart from any other action. However, our case is a very serious one.

I should like to outline some of the things which have occurred since we began our discussion of this question. In an earlier speech, which appears on page 16014 of the RECORD, the distinguished junior Senator from Indiana [Mr. JENNERS] said:

One of the objectives of Communist action has been to destroy the lawmaking body in countries under their attack.

The junior Senator from Wisconsin is hailed as the symbol of the fight against communism, and is so regarded by at least 10 million Americans, because we have been assured that petitions expressing this point of view are on their way to the United States Senate, and that more than 1 million of them were delivered here yesterday. Hence it is safe to assume that in the minds of his friends and in the minds of a great many Americans, the junior Senator from Wisconsin can be regarded as one of the outstanding authorities on Communist activity in the United States.

In his own inserted speech, to which I have referred, the junior Senator from Wisconsin says:

But I take it that you would rather I be frank than coy; that you would rather I acknowledge and accept the fact that McCarthyism is a household word for describing a way of dealing with treason and the threat of treason; and so I shall.

Earlier in his statement, the junior Senator from Wisconsin had this to say:

Let me say, incidentally, that it is not easy for a man to assert that he is the symbol of resistance to Communist subversion.

Mr. President, my mind reverts to another one of the little bits of ragtag and bobtail of general information that floats around in my memory, a quotation from Pinafore, in which the character said:

And it's greatly to his credit,  
For he himself has said it

Now, having qualified the junior Senator from Wisconsin as an authority on the Communist situation, and I do so seriously in spite of my quip, we find that that same authority, in his inserted speech, used those statements which are contained in the amendment offered by the junior Senator from Utah. I should like to read to the Senate several paragraphs from that section of the speech. This appears on page 15953 of the RECORD of November 10, 1954:

I would have the American people recognize, and contemplate in dread, the fact that

the Communist Party—a relatively small group of deadly conspirators—has now extended its tentacles to that most respected of American bodies, the United States Senate; that it has made a committee of the Senate its unwitting handmaidens.

Mr. President, we have heard much talk about "unwitting handmaidens." Here is the whole of that. I continue:

Let me be very clear about this. I am not saying, as I am confident the opposition press will have me saying tomorrow, that the Watkins committee knowingly did the work of the Communist Party. I am saying it was the victim of a Communist campaign.

In other words, the junior Senator from Wisconsin is saying that the committee was a victim of a specific campaign made against it, and it thus unwittingly became the victim of the Communist Party. I continue:

I am saying it was the victim of a Communist campaign; and having been victimized, it became the Communist Party's involuntary agent.

I am aware that many of you listening to me regard this as an unpalatable proposition. I have made similar statements before, in other contexts. Such statements never fail to exasperate a good number of loyal Americans. But said they must be if we are to survive, and said they will be.

I regard as the most disturbing phenomenon in America today the fact that so many Americans still refuse to acknowledge the ability of Communists to persuade loyal Americans to do their work for them.

The junior Senator from Wisconsin again stresses the ability of Communists to persuade the Watkins select committee to do their work for them. Continuing:

In the course of the Senate debate I shall demonstrate that the Watkins committee has done the work of the Communist Party, that it not only cooperated in the achievement of Communist goals, but that in writing its report it imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization for advising the Senate to accede to the clamor for my scalp.

But perhaps more important than explaining how the Watkins committee did the work of the Communist Party—

The junior Senator from Wisconsin has already promised to do that—

is the job of alerting the American people to the fact that this vast conspiracy possesses the power to turn their most trusted servants into its attorneys in fact.

In previous statements, I have analyzed carefully each of the phrases used on and off the floor by the junior Senator from Wisconsin which I think tend to bring the Senate into dishonor and disrepute, and thus to show why the junior Senator from Wisconsin should be condemned.

I say again, as I said on Tuesday, that I think the phrases relating to communism are the most serious. Much has been said about our establishing precedents and about the damage we shall do if we vote to condemn the junior Senator from Wisconsin.

I wish to point out that if in the face of those statements about the effects of the Communist conspiracy upon a duly appointed and legally acting committee of the Senate, we give tacit confirmation to the charge made by the junior Sena-

tor from Wisconsin, we shall be telling the American people and the world that we agree that the Communist conspiracy has extended its tentacles into the Senate, and that it has been able to make the select committee cooperate with it for its own needs.

So I think for this reason, in addition to all the others, it is imperative that this amendment be adopted, and that the Senate reject the implications that the Communist Party has this power over the United States Senate. We must do so not merely to express our faith in the committee, but also to preserve our self-respect and the respect which we hope the American people have for us.

Mr. President, at this point I shall conclude my formal statement. How much time have I remaining?

The PRESIDING OFFICER (Mr. Ives in the chair). The Senator from Utah has 14 minutes remaining.

Mr. BENNETT. That is fortunate, because after my remarks the other day I agreed to yield some time to the junior Senator from Idaho for questioning.

Mr. BUSH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Connecticut?

Mr. BENNETT. Mr. President, before I yield I should like to say that my colleague, the senior Senator from Utah [Mr. WATKINS] also approached me and asked me for time. May I ask the Senator from Idaho [Mr. WELKER] the minimum amount of time which he feels would enable me to keep my good faith with him?

Mr. JOHNSON of Texas. Mr. President, I am willing to yield to the Senator from Idaho some time to make a statement.

Mr. WELKER. Mr. President, I should like to make a statement.

Mr. JOHNSON of Texas. Mr. President, as I understand, the Senator from Idaho is opposed to the amendment. I control time for the opposition, and I am willing to yield to him. I hope the Senator will yield back whatever time he may have remaining.

Mr. WELKER. I should like to ask the Senator from Utah if he did not agree with me to yield to me one-half of his time?

Mr. BENNETT. The Senator has available approximately half of the time of the Senator from Utah. He has 14 minutes.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator 3 minutes for the purpose of answering the inquiry.

Mr. BENNETT. Mr. President, before the Senator yields, I should like to state that the junior Senator from Utah is in a peculiar position. If the Senator from Idaho wishes to insist on his rights under the statement made to him, then the Senator from Utah is obligated to yield the remainder of his time to the Senator from Idaho, who is in opposition to the amendment, and the junior Senator from Utah will be in the interesting position of having to go to the minority leader and ask him to yield him sufficient time to make up the time that the Senator from Idaho uses.

Mr. WELKER. Mr. President, I do not intend to embarrass the Senator from

Utah or to take his time. He was very gracious when he told me he would yield me half his time. I desired to have the Record read correctly, because many persons heard that statement. I did not wish to embarrass the Senator from Utah or anyone else.

Mr. BENNETT. I am willing to go through with my promise if the Senator insists on it.

Mr. BUSH. Mr. President, will the Senator yield me 1 or 2 minutes?

Mr. BENNETT. Mr. President, I am happy to yield 2 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, I commend the Senator's statement. Having talked with the distinguished chairman of the select committee, who assured me that he intends to support the amendment, which is in the nature of a substitute, I wish to state that I believe this entire debate in the past few months has resulted in expressing quite clearly the Senate's insistence, which I hope will be reflected in January in a change of the rules, upon fair investigating procedures. In speaking for the substitute, I certainly do not wish to convey the impression, remotely or in any other way, that I am faltering in my insistence that the Senate adopt a fair code of investigative procedures. Because of the complicated nature of the particular section under consideration, and because of the willingness of the chairman of the select committee, the brave and noble Senator from Utah [Mr. WATKINS], I shall support him in favoring the substitute. I thank the junior Senator from Utah for yielding to me.

Mr. ERVIN. Mr. President—

Mr. BENNETT. I yield 2 minutes to the Senator from North Carolina.

Mr. ERVIN. I think the conduct of the junior Senator from Wisconsin in respect to—

Mr. WELKER. Mr. President, I insist on the regular order.

The PRESIDING OFFICER. The Senator is getting the regular order.

Mr. WELKER. I thought a Senator could yield only for the purpose of a question.

The PRESIDING OFFICER. Not under unanimous consent; no.

Mr. WELKER. When was unanimous consent given to the Senator from North Carolina?

The PRESIDING OFFICER. The Senator from Utah is parceling out his time.

Mr. BENNETT. Mr. President, I yielded 2 minutes to the distinguished Senator from North Carolina.

Mr. WELKER. I beg the Senator's pardon.

Mr. JOHNSON of Texas. Mr. President, I assume this time is not coming out of the time of the Senator from North Carolina.

The PRESIDING OFFICER. No.

Mr. ERVIN. Mr. President, I favor censuring the junior Senator from Wisconsin for his conduct toward General Zwicker. I recognize, however, that many Members of the Senate, who have not had the opportunity of studying that matter and witnessing General Zwicker on the witness stand, have some misgivings on this subject.



I do not believe that those who favor censuring the conduct of the junior Senator from Wisconsin ought to be divided as to the particular grounds of the censure, when there are two grounds which, in my judgment, would justify censure.

In order to prevent any division, I expect to support the amendment in the nature of a substitute offered by the junior Senator from Utah. In so doing, I do not surrender in any way my conviction that the junior Senator from Wisconsin merits censure because of the General Zwicker incident.

Mr. JOHNSON of Texas. Mr. President, I have time available, if any Senator desires to use it in opposition to the Bennett amendment.

Mr. BENNETT. Mr. President, may the junior Senator from Utah yield to the Senator from Kentucky [Mr. COOPER] for a question? Then the junior Senator from Utah will yield the floor temporarily.

The PRESIDING OFFICER. The junior Senator from Utah has the floor. To whom does he yield?

Mr. BENNETT. The junior Senator from Utah yields to the Senator from Kentucky for a question, which will come out of the time of the junior Senator from Utah.

Mr. COOPER. The Senator may have answered the question, but I should like to have the point clear. Is it the Senator's insistence that his amendment be offered as a substitute based on the substitute's own merits alone, or is his insistence a result of the judgment of the select committee that its members no longer wish to press point 2?

Mr. BENNETT. The junior Senator from Utah, not being a member of the select committee, cannot answer that question categorically.

Mr. JENNER. The senior Senator from Utah is present. He can answer the question.

Mr. COOPER. I wish to know if the committee has withdrawn its point 2.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. BENNETT. I yield to my colleague.

Mr. WATKINS. I made an announcement a few minutes ago, just before a vote on a previous question, that I was not abandoning at all my ideas or principles with respect to the Zwicker incident. I stated that, in the interest of having a censure resolution adopted, in the interest of not having the supporters of the resolution divided, I would support and would accept personally the Bennett amendment.

Mr. COOPER. The practical effect is that the committee is withdrawing its insistence on point 2. Is that correct?

Mr. BENNETT. It has that effect. The Senator from Utah will yield the floor in order that the Senator from Illinois may obtain time from the minority leader.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from Illinois 15 minutes.

Mr. DIRKSEN. Mr. President, by way of prelude, to carry on the query raised by the distinguished Senator from Kentucky, while we speak of the effect of

an effort or action here, the fact of the matter is, and it must be recorded for all history, Mr. President, that section 2 of Senate Resolution 301 has been abandoned. It has been abandoned by the committee, Mr. President. If I am in error, I wish to be corrected now, because there are persons who will read this RECORD, and I want to be certain that my statement is accurate. Section 2 has been abandoned, and abandonment, in my judgment, is confession of a mistake; and if the committee made a mistake there, it is reasonable to assume that a mistake might have been made with respect to section 1.

It might further be assumed, Mr. President, that a mistake has been made with respect to the amendment which is pending before the Senate at the present time. In my judgment, not only is it a mistake in substance, but I believe it is a mistake in procedure. If one will take the trouble to look at the report of the select committee, he will notice on the title page that, first of all, it was filed on the 8th day of November 1954, and the first paragraph of that report states:

The Select Committee To Study Censure Charges, consisting of ARTHUR V. WATKINS (chairman), EDWIN C. JOHNSON (vice chairman), JOHN C. STENNIS, FRANK CARLSON, FRANCIS CASE, SAM J. ERVIN, JR., to which was referred the resolution (S. Res. 301) and amendments, having considered the same, reports thereon and recommends that the resolution be adopted with certain amendments.

The committee had before it, Mr. President, only the charges and allegations which were filed prior to the time when we assembled here on November 8, to consider the select committee's report.

This is a new count in the indictment. It has not been heard by the members of the select committee. There has been no opportunity for the junior Senator from Wisconsin to go before the committee and offer a defense to this new count. I say such procedure is dubious indeed, when we consider today, for the first time, a count for condemnation, originally couched in words of censure, for language, and language only—nothing else—that was uttered to the press, uttered over television, included in other statements of one kind or another, and finally included in a statement which never was delivered on the floor of the Senate, but was extended in the CONGRESSIONAL RECORD.

Mr. President, what is the first language about which complaint is made? It is a statement that there was "deliberate deception." In what was that language contained, Mr. President? It was contained in a letter; the statement was not made on the floor of the Senate. That language was contained in a letter; it was set forth in writing and at quite a distance from the Senate Chamber.

The next language referred to "fraud." Where was it uttered? It was uttered to the press, Mr. President.

The next language was that "a lynch party" and "a lynch bee" were in progress. Were those phrases used on the floor of the Senate? Indeed they were not, Mr. President. They were used on a television presentation.

Mr. JENNER. Mr. President, will the Senator from Illinois yield to me at this point?

Mr. DIRKSEN. I prefer not to yield, Mr. President.

Mr. JENNER. I wish to ask the meaning of "a lynch bee."

Mr. DIRKSEN. I am sorry that I cannot yield now.

Of course, Mr. President, I know it is easy to hear or to read a phrase, and later, by a process of fixation, have it come into one's mind, and then utter it without stopping to think of what implications or meanings may be read into it.

The next language complained of, Mr. President, was contained in the public press on November 13, 1954, and was not uttered in this Chamber. On the contrary, it was spoken to press reporters. What Senator has not had the experience of being taken into the little reception room to the left of the Senate Chamber and, in a moment when things on the floor of the Senate were in an agitated state, being asked a pointed and precise question, and then fishing into the recesses of memory and, in the processes of thinking, finding an appropriate phrase? What Senator's tongue has not lost its tether in a situation like that? [Laughter.]

The PRESIDING OFFICER. The Senate will be in order.

Mr. CASE. Mr. President, will the Senator from Illinois yield to me?

Mr. DIRKSEN. I cannot yield, Mr. President; my time is limited.

Mr. CASE. Mr. President, will the Senator from Illinois yield to me for a question?

Mr. DIRKSEN. Mr. President, I shall yield for that purpose at the end of my remarks, if I have time to do so; but, first, I wish to finish my statement, if I may. Thereafter, I shall be delighted to yield.

The PRESIDING OFFICER. The Senator from Illinois may proceed.

Mr. DIRKSEN. Mr. President, the last allegation is regarding something which appeared in the press and then was inserted in the CONGRESSIONAL RECORD.

Yesterday I recited to the Senate some of the rather robust language which has been uttered on the floor of the Senate since this body came into being, under the Constitution of the United States. I shall not now repeat the details, but I shall repeat some of the language, as follows:

Falsification.  
A doctored report.  
Cowardice.  
Liar.  
A dirty dog.  
A willfully malicious, wicked liar.  
Trickery and sharp practice.  
Making the Senate a sewer for the vapors of a Senator.  
Contemptible speech.  
Conspiracy to steal an election.  
Jackasses.  
Two-bit committees.  
A tissue of falsehoods.  
Political trickery and subterfuge.  
Blasphemy.  
A Senator in company with Stalin and the Daily Worker.  
Trained seals.  
Rotten filth.

Cards that are red with the blood of treachery.

Defiling his seat.

The last was uttered against the late Senator Taft, of beloved memory, and whose passing all of us lament.

I continue with the list of strong language used on the floor of the Senate:

Subordinating integrity for a few slimy votes.

Like a rotten mackerel that shines and stinks in the moonlight.

Most contemptible and degraded of beings.

A scavenger bird hunting offal and putrifying matter.

A great liar and a dirty dog.

Mr. President, that language has been uttered on the floor of the Senate over a long period of time.

But the language complained of in this case was used either on television or to the reporters, or it was inserted in the CONGRESSIONAL RECORD. It was not uttered on the floor of the Senate. In the light of tradition, I wonder whether we shall now condemn a Senator for doing that.

Then we come to the language "the unwitting handmaidens of communism."

Yesterday I read to the Senate a statement which was made in a speech at Oklahoma City on September 28, 1948. I repeat it at this time:

The fact of the matter is that the Republican Party is the unwitting ally of the Communists in this country.

I think Senator McCARTHY should stop reading the words of Harry Truman, because Truman made that speech in Oklahoma City in 1948. Yet that is one of the phrases about which complaint is made at the present time.

But, Mr. President, in the light of the facts, looking at this language—uttered not on the floor of the Senate, but to the press and on the outside—what do we do, finally, to complete freedom of speech, which has been one of the attributes of this body?

When Senator Black, now on the Supreme Court of the United States, was attacked some years ago, in connection with interrogating a witness, he said there had to be drastic action, and he preserved inviolate the freedom of speech.

Read what Mr. Justice Frankfurter said in a case in 1951. He went the whole hog, to make sure that freedom of speech, as set forth by James C. Wilson in the Constitutional Convention itself, in 1787, would be preserved inviolate.

So, Mr. President, as we look at the whole picture of the past, shall we now condemn, for the use of certain phrases—phrases probably less severe in their implications and their meaning than other phrases which have been uttered on this floor by great Members of this deliberative body who have marched on to the contemporary scene and then have marched off into eternity. We salute every one of them for their contributions to the country—their salty language and all. Are we going back on that tradition now?

Let us come up to the present for a moment. The distinguished Senator from Vermont [Mr. FLANDERS] is on the

floor. If I can read the English language correctly, I think I am accurate when I state that when he made his speech on the floor of the Senate, last year, there was no question in my mind that he was comparing the junior Senator from Wisconsin with a Hitler. If that connotation is not there, then I beg to be corrected.

Many other statements were made. Was there any censure for them? None that I know of. So there is before us at the present time language not uttered on this floor. I would be the last to interdict or inhibit the freedom of a Senator to speak freely, and to speak about me, if he did not like what I did or what I said. That question is involved here.

Going back to the speech which was inserted in the CONGRESSIONAL RECORD, what Senator rose in his place to object? There was opportunity to object. When a New York Times editorial was submitted by the Senator from Colorado [Mr. JOHNSON] the other day, the junior Senator from Wisconsin said, "Before I agree to have it inserted, I want to look at it." He did look at it. I did not read it, but I fancy it charged him with being a demagog—spelled with a capital D. At least I gained that impression about the editorial. But he saw it. He knew what its text was in its entirety, and he said, "So far as I am concerned, it can go into the CONGRESSIONAL RECORD."

What Senator rose in his place and said, "Before the junior Senator from Wisconsin inserts a speech in the RECORD, I want to see it"? Did any Senator avail himself of that privilege? That is our privilege and our right under the rules of the Senate. We can stop any matter from going into the CONGRESSIONAL RECORD. However, that was not done.

That is the entire story.

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I wish to yield to the Senator from South Dakota [Mr. CASE]. I shall conclude in a moment.

That is the story as I see it. I would be the last to vote for that kind of amendment, particularly when it comes as a new count in an indictment, so to speak, and has not been submitted to the select committee.

I now yield to the Senator from South Dakota.

Mr. CASE. Let me first say, in response to the question the Senator from Illinois asked, that I believe I was speaking at the time the junior Senator from Wisconsin asked permission to insert the speech in the RECORD. I did not object, first, because I did not want to be thin-skinned or sensitive. If he had something he wanted to put in the RECORD about the committee, I was not going to object to it.

Secondly, I wished to be fully courteous to the junior Senator from Wisconsin and let him say anything he wished in justification or defense.

But when I sought to interrogate the Senator a little while ago he was talking about tongues being loose on the tether in the Senate Chamber. I ask the Senator if he knows that only yesterday the distinguished and very able Senator

from Mississippi [Mr. EASTLAND] conducted a hearing in the Senate District Committee room on the subject of tung oil.

Mr. DIRKSEN. I had not heard of it. [Laughter.]

Mr. WATKINS. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. WATKINS. I have already stated my position with reference to placing that speech in the RECORD. I did not know what was in the speech. The request was made toward the close of the session in the afternoon. We did not wish to be so discourteous as to ask the junior Senator from Wisconsin to allow each Member of the select committee to read the speech and see if there was any objection to it. Had I known what he was placing in the RECORD, I certainly would have objected, because the language was highly improper. However, I did not know what was in it. I did not feel that it was the right thing to require him to hand over a long speech and let us sit down and read it while the Senate waited. We must rely on the good faith of Senators in presenting unanimous-consent requests of that kind.

Mr. DIRKSEN. Mr. President, I yield myself 4 additional minutes.

Deep as my affection is for my gracious, amiable friend from Utah, I must say in all candor that that is a rather strange response. I say so for this reason: The junior Senator from Wisconsin has been an issue in the Senate for a long time. Before the Senate concluded its session in August this subject was submitted to the select committee. We are generally familiar with the effervescence of spirit and the ebullience which characterize the junior Senator from Wisconsin. So we were forewarned on the basis of other speeches, as to what might be inserted in the RECORD. So I do not think that is an answer.

I think perhaps the Senate might be charged with laches and neglect. I do not wish to place that responsibility upon the shoulders of the junior Senator from Wisconsin.

Mr. President, I conclude by dipping deep into the Old Book to find something in Samuel, which is very appropriate. When Amnon, son of the king, ravished his half-sister, who was a full sister to Absalom, he having ravished her by artifice, he then sent her away. She made a classic reply. She said, "This evil in sending me away is greater than the other that thou didst unto me."

Conceding that this language is not the language of a gentleman, conceding that it was uttered without restraint, which is the greater evil today—to put handcuffs on freedom of speech or to charge ourselves with the guilt of negligence and laches and vote down the pending amendment.

Section 2 has been withdrawn. It has been abandoned. That, in my judgment, is a confession that it was a mistake. I think this whole business is a mistake, but I think we can retrieve the situation in part if we vote down the pending proposal, the amendment offered by the distinguished junior Senator from Utah [Mr. BENNETT].



I say that in all kindness. He is one of the most gracious Members of this body. He is a man of piety, devotion, and great faith. I almost worship at his feet; but I think his amendment would be a mistake. I think it would be a departure from sound tradition. I think it would have an impact upon the ultimate freedom of speech in this country which would be catastrophic indeed. It ought to be voted down.

The VICE PRESIDENT. The time of the Senator from Illinois has expired.

Mr. BUSH. Mr. President—

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Utah [Mr. BENNETT] yield me 1 minute?

Mr. BENNETT. The Senator from Utah is glad to yield 1 minute to the senior Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, as a member of the select committee, the question for me to decide is not what is abandoned or what is not abandoned. The Senate has full jurisdiction. The select committee does not have complete control of the procedures of the Senate.

We submitted our report. The Senate has a perfect right to defeat, to lay on the table, to amend, or to change in any way it desires any section of the pending resolution. We have before us a proposal to change section 2. This proposal is made not by a member of the select committee, but by a Member of the Senate outside the select committee. The Senate is the superior body over the select committee. I, as one member of the select committee, will support the amendment of the Senator from Utah.

Mr. BUSH. Mr. President—

Mr. WELKER. Mr. President—

Mr. JENNER. Mr. President, will the Senator yield half a minute to me?

Mr. STENNIS. Mr. President, will the Senator from Utah yield me 2 minutes?

Mr. BENNETT. The Senator from Utah assumes that the Senator from Indiana is in opposition to this amendment, and he suggests that the Senator obtain his time from the minority leader.

Mr. JOHNSON of Texas. Mr. President, the minority leader has very little time. He has 8 minutes left, and he would like to yield 5 minutes to the Senator from Idaho [Mr. WELKER].

Mr. JENNER. May I have 1 minute, or half a minute?

Mr. JOHNSON of Texas. I yield 1 minute to the Senator from Indiana [Mr. JENNER] and 4 minutes to the Senator from Idaho [Mr. WELKER].

Mr. JENNER. Mr. President, a unanimous-consent request was made to expedite the situation and get rid of the mess in which we have been for several years. It has been concentrated within the past 10 months. The request was objected to because the proposed unanimous-consent agreement provided that it would be germane to file a censure resolution against any Senator at any time. The point raised was that a Senator might be taken by surprise with a censure resolution, and that under the proposed unanimous-consent agreement he would have 30 minutes to defend himself.

The proposal of the distinguished junior Senator from Utah stands on the

same basis. There was no hearing on it. There is no opportunity for defense. It has been brought before the Senate after this subject has been debated for a considerable time. It is a new proposal. If we take this step, I am afraid we shall justify one of the statements which has been made, and that this may turn into a lynching bee.

Mr. BUSH. Mr. President, if the Senator from Idaho does not wish the floor—

The VICE PRESIDENT. The Senator from Texas has the floor.

Mr. JOHNSON of Texas. If the Senator from Idaho does not desire the time—

Mr. WELKER. I thought the Senator from Connecticut was ahead of me.

Mr. JOHNSON of Texas. I have not yielded any time to the Senator from Connecticut. I yield 4 minutes to the Senator from Idaho.

Mr. WELKER. I ask my distinguished friend if he will not permit me to interrogate the Senator from Utah [Mr. BENNETT]?

Mr. JOHNSON of Texas. That is entirely within the control of the Senator from Utah. It is up to the Senator from Idaho to do what he wishes with the 4 minutes which have been yielded to him.

Mr. BENNETT. Mr. President, the Senator from Utah is happy to give the Senator from Idaho an opportunity to interrogate him toward the end of the discussion, but the Senator from Utah must retain the right to keep a minute or two of his own time for possible rebuttal.

Mr. JOHNSON of Texas. I will say to the Senator from Utah that I have yielded 4 minutes to the Senator from Idaho for that purpose.

Mr. WELKER. Very well.

Mr. BENNETT. I should like to make one point clear. The junior Senator from Utah will be very glad to discuss with the Senator from Idaho anything he wishes to discuss; but the junior Senator from Utah wants to reserve a minute or two of his own time at the very end of the whole discussion for a final statement.

Mr. WELKER. Mr. President, whose time is this discussion coming out of?

Mr. JOHNSON of Texas. Out of the time of the Senator from Idaho.

The VICE PRESIDENT. The Senator from Idaho has the floor, and he has been recognized for 4 minutes.

Mr. WELKER. I may just as well use up the remainder of the 4 minutes. I assure the Senator from Utah that he will have plenty of time to discuss the matter with me, because the next move that I intend to make is to move to table the amendment. He will then have 30 minutes of debate available to him, and I shall have 30 minutes.

The first point the Senator from Utah brought up today was to contradict a point of law I presented to the Senate on the 16th or 17th of this month. The Senator cited the case of Representative Blanton. Is it not a fact that that was originally an action to expel a Representative from the House of Representatives, and that it failed by just a few votes?

Mr. BENNETT. That is a fact. The original action was to expel. However, the Chair apparently ruled that a substitute for that motion, namely, a motion to censure, would be accepted. It was the motion to censure that prevailed, not the motion to expel.

Mr. WELKER. After the motion to expel had failed. Is that correct?

Mr. BENNETT. That is true.

Mr. WELKER. I will ask the Senator whether it is not a fact that the language used in that case was so vile and so vulgar that it was ordered stricken from the CONGRESSIONAL RECORD on the ground that young women, young men, and children should not be permitted to read that language. Is that a fact?

Mr. BENNETT. I stated earlier that it is true that the matter was ordered expunged on the ground of obscenity. I also stated that the language of the junior Senator from Wisconsin was not in any sense obscene.

I was making the point that we have before us a case in which censure resulted from a consideration of words alone, rather than any action.

Mr. WELKER. The Senator from Utah stated that I had claimed that never in the history of Congress had a man been censured for words spoken on or off the floor. I will ask the Senator—

Mr. BENNETT. May I interrupt—

Mr. WELKER. I will ask the Senator to wait until I have finished my question.

The VICE PRESIDENT. The time of the Senator from Idaho has expired.

Mr. BUSH. Mr. President, will the Senator from Utah yield to me not more than 2 minutes?

Mr. BENNETT. I am glad to yield not more than 2 minutes to the Senator from Connecticut.

Mr. BUSH. Mr. President, with respect to the remarks of the Senator from Illinois, and in support of the substitute motion, I wish to refer to some remarks on the subject of free speech which I offered in the form of a statement on December 1, printed in the CONGRESSIONAL RECORD at page 16270:

No question of free speech is involved. Free speech does not mean unrestrained license. In certain circumstances, words may be tantamount to acts, as when a man incites a mob to riot, or when they may lead to disastrous consequences. As Mr. Justice Holmes said, "The most stringent protection of free speech would not protect a man in falsely shouting 'Fire' in a theater and causing a panic."

Mr. JOHNSON of Texas. I yield 3 minutes to the majority leader.

The VICE PRESIDENT. That is the remainder of the time available to the minority leader.

Mr. KNOWLAND. Mr. President, there are several questions that should bother the Senate in connection with the adoption of the amendment offered by the junior Senator from Utah [Mr. BENNETT].

When the select committee was created, at a time when various charges were being submitted by resolution and amendments, it was the judgment of the Senate that it would be a bad precedent, and, in fact, unprecedented under former censure actions, for censure to be

voted without the charges being first referred to a committee of the Senate. It was felt that the charges should be submitted to a committee, either a standing committee or a select committee. It was felt that if we did not provide for an orderly process, a censure motion or amendment could be introduced, and the measure could be voted on without the defendant, so-called, having an opportunity to present any extenuating circumstances or to point out that certain extracts were taken out of context.

As I said yesterday, I do not condone some of the language which has been used by the junior Senator from Wisconsin. However, I do point out that we are trespassing on very dangerous ground.

Are we to set up in the Senate a board of censors, to which material to be introduced in the CONGRESSIONAL RECORD must first be submitted, to determine if it meets the approval of Senators on both sides of the aisle?

Are we to set up a board of censors so that before a Senator makes a television appearance or a radio appearance, he must submit his text to such a board—just as a businessman, for example, consults an agent of the Internal Revenue Service in connection with his income tax—in order to get a ruling on the text and to guard against his saying something for which he could be later censured? If we were to adopt the amendment we would establish a very dangerous precedent, one which I believe would be detrimental to free speech in the Senate and which, perhaps, could even serve as a pattern for the whole country.

I have been quite interested in the point of view taken by some of our friends of the fourth estate, who apparently want complete freedom of the press for themselves—which they should have, and which is guaranteed by the Constitution—but who at the same time want to put certain limitations upon the Senate.

The Senate has some responsibilities. If a Senator sits idly in the Senate and lets a speech be made which casts a reflection upon another Senator, he is abdicating his responsibility as a Senator. If a Senator sits in committee—and I care not whether the committee is headed by the junior Senator from Wisconsin or by any other Senator—and lets the chairman of that committee ride roughshod over a witness, that member of the committee is abdicating his responsibility for letting his chairman get away with it.

Mr. President, this is a very dangerous doctrine. The charge contained in the amendment has not been submitted to a committee of the Senate. It is based, presumably, on a television appearance and certain press quotations, and only one section relates to an action which took place in the Senate, and that was a speech put into the RECORD.

I believe that action was unfortunate. I believe the Senator from Wisconsin should never have put it in the RECORD. However, every Senator was on notice, because the newspapers of that morning contained advance notice that a speech of that nature was to be made. Any Senator might have objected to it and required him to read it on the floor, and

when he read it he would have been made to sit down.

The VICE PRESIDENT. The time of the Senator from California has expired. The junior Senator from Utah has control of the time.

Mr. BENNETT. Mr. President, I yield to the Senator from Mississippi [Mr. STENNIS] 2 minutes.

The VICE PRESIDENT. The Senator from Mississippi is recognized for 2 minutes.

Mr. STENNIS. Mr. President, regarding the committee amendment relating to the Zwicker incident, I, of course, supported that amendment in the committee's conclusion. I now think it should be adopted by the Senate. There are facts connected with it which are difficult to make clear. In my first impression, before we started the hearings, I was not inclined to look upon the Zwicker incident as a basis for censure, but as the testimony unfolded, censure, in my opinion, was indicated.

We are now confronted with a parliamentary situation. Our committee has had a meeting. The question has been thoroughly discussed, and it is the unanimous conclusion of the committee, at this stage of the parliamentary proceeding, I think, that we should support the Bennett amendment. That will be my position with reference to the pending vote, without abandoning one bit my firm conclusion with reference to the merits of the so-called Zwicker incident amendment.

I see the Senator from South Dakota [Mr. CASE] on the floor, and it may be that the Senator did not join me in that conclusion.

Mr. CASE. That is correct.

Mr. President, could I be yielded 1 minute?

The VICE PRESIDENT. The junior Senator from Utah has the floor.

Mr. BENNETT. Mr. President, I yield, first, 2 minutes to my colleague.

Mr. WATKINS. Mr. President, this matter has been reviewed a number of times before this body, and there are certain things we must keep in mind.

The items in the Bennett amendment are recitals of what has happened since the proceeding began against the junior Senator from Wisconsin, at least, since the report was prepared and released to the public and finally filed with the Senate. In it are inserted the "handmaiden" speech. The contempt and the actions are against the Senate itself and are inseparably connected with the proceedings now before the Senate. The junior Senator from Wisconsin apparently tried to put in those items as a matter of defense. He made charges and said he was going to prove them, but he has never offered one word of proof with reference to them. How can we acquiesce in what has been done and say, "You can condemn the court; you can criticize it and insult it, but we can do nothing about it"? In any court in the land if such an attack were made upon the judge of the court while the proceedings were going on, the judge himself would bring in the person who made such an attack and would act. Some Senators seem to feel that we should not do

anything about it because we are interested parties. Every judge has to stand on his own feet and take measures to protect the dignity of the court.

What I am saying is not in behalf of Senator WATKINS, of Utah, but in behalf of the Senate of the United States. To me, personally, it means very little except as I have reverence for this body. How can we say, when it is being put squarely up to us, that we will vote to sustain the junior Senator from Wisconsin in what he has done? He has made charges and has abandoned them completely. This matter does not have to be referred to any committee. What was done happened in the presence of the court.

Mr. LEHMAN. Mr. President, will the junior Senator from Utah yield for a parliamentary inquiry?

Mr. BENNETT. Provided it is not charged against my time.

The VICE PRESIDENT. Without objection, the Senator from New York may proceed.

Mr. LEHMAN. Mr. President, I should like to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LEHMAN. In the event the amendment offered by the distinguished Senator from Utah should be agreed to—and I shall vote for it—I should like to ask whether it would be in order for a Member of this body to introduce as new matter substantially the language which is contained in section 2 of the pending resolution?

The VICE PRESIDENT. The Senator, of course, may submit at any time an amendment adding to the matter in the resolution; and, consequently, if the amendment which has been offered by the Senator from Utah is agreed to, the Senator from New York may offer an amendment containing substantially the same language as that contained in section 2.

Mr. LEHMAN. I thank the Chair.

The VICE PRESIDENT. The junior Senator from Utah has 3 minutes remaining.

Mr. CASE. Mr. President, will the Senator from Utah yield me 1 minute?

Mr. BENNETT. Mr. President, I shall be happy to yield 1 minute to the Senator from South Dakota.

Mr. CASE. Mr. President, I asked for this minute merely to make my own position clear.

As I remember, I had the floor at the time the junior Senator from Wisconsin asked me to yield so that he might propound a unanimous-consent request to insert his remarks in the RECORD as a statement. I yielded for that purpose. I knew substantially what was in his remarks. I had myself made a statement on the radio or television with respect to them on the night before, on the basis of a quotation read to me by a member of the press. I, therefore, would not be now in position to vote against it. But my understanding with the committee this morning was that the committee members would vote "present" if permitted by the Senate with respect to this matter, because it referred to the committee. At least, in discussion with the



Senator from Mississippi I understood he had considered that as a possibility.

As for myself, I expect to vote "present," if the Senate permits, if it comes to a vote. If the Senate requires me to vote, I shall be obliged to vote "no," because I permitted the statement to be placed in the RECORD.

Mr. BENNETT. Mr. President, I feel that if we do not go through with this program we shall not have completed or rounded out the action we took yesterday. The question was raised as to whether the Senate had the right to condemn or censure a Member for conduct, or misconduct, in a previous session of the Senate. We decided yesterday that the Senate has such right. Here are actions which I think tend to bring the Senate into disrepute. They took place in the present session of the Senate, and we are so close to the statutory end of the session that if we do not act in the manner suggested by my amendment we may, in effect, force this matter over into the 84th Congress. In view of the Blanton incident, I feel that there is no justification for the claim that we are acting in violation of the rules of the Senate.

I hope my colleagues will join me in sustaining the proposed amendment.

The VICE PRESIDENT. The time of the Senator from Utah has expired.

Mr. WELKER. Mr. President—

The VICE PRESIDENT. For what purpose does the Senator from Idaho rise?

Mr. WELKER. To make a motion.

The VICE PRESIDENT. The Senator from Idaho will state his motion.

Mr. WELKER. I move to lay on the table the perfecting modification as proposed by the junior Senator from Utah.

The VICE PRESIDENT. The Senator from Idaho moves to lay on the table the amendment offered by the Senator from Utah. The Senator from Idaho is recognized for 30 minutes.

Mr. WELKER. I should like to continue my interrogation of the distinguished junior Senator from Utah.

Mr. President, may we have order, without the time for the suspension of the proceedings being taken out of my allotment?

The VICE PRESIDENT. The Senator from Idaho will suspend, and the Senate will be in order.

The Senator from Idaho may proceed.

Mr. WELKER. I was glad to hear the closing remarks of the distinguished junior Senator from Utah to the effect that, in view of the Blanton decision, there was certainly no precedent whatsoever for the arguments heretofore made against his amendment or substitute, or whatever it is. Is that correct?

Mr. BENNETT. That is the interpretation of the Senator from Idaho. In trying to remember what I said, I believe I said that the Blanton case is a precedent for action which may eventually end in censure without the matter having been referred to a committee.

Mr. WELKER. I take it that if the Senator felt in his own heart that that precedent was not good law, he would not feel as he does; would he?

Mr. BENNETT. I certainly am not resting my case on the precedent set by the Blanton case. I feel that the lan-

guage of the junior Senator from Wisconsin, as specified in the amendment offered by me, is sufficient to justify action by the Senate; and, as my colleague has pointed out, if this were, in fact, a court—and again I realize that I am treading on dangerous ground, because my questioner is an able and experienced trial lawyer and cross-examiner, while the Senator who is being questioned has been limited in his court experience to service on a jury and as an occasional trembling witness—but I have not answered the Senator's question.

Mr. WELKER. If the Senator will answer my question, instead of making a speech, that will be fine with me.

Mr. BENNETT. My colleague pointed out that if this occurrence had taken place during a proceeding in a court which is a part of our judicial system, such language probably would have justified a charge of contempt by a judge, in which case the judge himself would, as I understand it, make the charge, try the case, and inflict the punishment.

Mr. WELKER. The Senator from Utah is not trying to indicate to me that the rules of contempt in a judicial proceeding are the same as in this political trial, is he?

Mr. BENNETT. No; I am not saying the rules are the same. But ever since this matter began, Members have drawn many parallels between rules in judicial proceedings and rules in this proceeding. The Senator from Idaho himself has drawn many of those parallels. I suggest there may be another parallel in this situation.

Mr. WELKER. I started my consideration of this matter by believing my friend, the distinguished senior Senator from Utah [Mr. WATKINS], the chairman of the select committee, when he said the Senate would be the judge of the law and the facts. But in observing him during the past few days, it has been my observation that there are not many prosecutors who are quite so rough as he is.

If the junior Senator from Utah did not have faith in the Blanton decision as a precedent, why did the Senator bring that case before the Senate and use it as a precedent?

Mr. BENNETT. I brought it for the additional information of this body. I presented other reasons in earlier speeches.

I might observe that when the distinguished junior Senator from Idaho was cut off by the limitation of time in the previous time period, he charged me, if I remember correctly, with having said there was no precedent. I did not say that. I said that during the debate a statement had been made—I do not know by whom—that there was no precedent for this kind of action.

Mr. WELKER. I think I said there was never in the history of the United States Senate a censure resolution. I challenge anyone to cite the RECORD to disprove that statement.

How deeply has the Senator from Utah done his research to guide the Senate, this quasi-judicial body, which is trying a fellow Member?

Mr. BENNETT. Obviously, not being a trained lawyer, I can acknowledge that whatever research has been done has been necessarily very shallow, as compared with that done by the junior Senator from Idaho.

Mr. WELKER. Does the Senator from Utah mean to tell me that he has not had legal help in this matter?

Mr. BENNETT. The discovery of the Blanton decision was made by a member of my staff, since I myself am not a lawyer, and I have not referred the full implications of the Blanton decision to any lawyer.

Mr. WELKER. Did the Senator's assistant refer the Blanton decision to any counsel or attorney?

Mr. BENNETT. So far as I know, he has not done so.

Mr. WELKER. How did the Senator's assistant know how to conduct research as far back as he did in this matter? Does the Senator know?

Mr. BENNETT. The matter was referred to the Library of Congress with a request to find any precedent, if such existed.

Mr. WELKER. That is the answer I wanted to the \$64 question. Did the Senator's research assistant go a little further and take into account the rulings made by the select committee, as to how it considered precedents, and what the committee would be governed by?

Mr. BENNETT. My research assistant was not charged with that responsibility. He was asked to ascertain whether in either House of Congress there was any precedent for action on a motion leading to censure, without the matter first having been referred to a committee.

Mr. WELKER. What I am about to say will blast the Blanton decision clear through the skylight of this Chamber. I direct the Senator's attention to this, because it is a decision of the so-called select committee, which started to be a judicial committee. It is the ruling which was sought to be followed throughout these proceedings. I am certain the select committee acted as it did in all good faith. I quote from page 22 of the report of the select committee, as follows:

A Member may be censured even after he has resigned (2 Hinds' Precedents, 1239, 1273, 1275 (1907)). . . . Precedents in the House cannot be considered as controlling because the House is not a continuing body.

That is the law as laid down by a tribunal which seeks to expel the defendant here.

Mr. BENNETT. May I see that language?

Mr. WELKER. I refer the Senator to page 22 of the committee report. I do not wish to take the time to discuss that further; I must continue.

Mr. BENNETT. It seemed to me, as I listened to the Senator from Idaho, that that decision referred to the right of a select committee to consider actions which took place in a prior Congress, and not solely to the right of the select committee or the Senate to consider actions which had taken place in this Congress.

Mr. WELKER. Does the Senator suppose for a moment that the committee is going to say that precedents in the House cannot be considered as controlling because the House is not a continuing body?

Mr. BENNETT. That is what they said.

Mr. WELKER. That should be the rule, because they adopted it. They did not say anything about something happening prior to election.

Mr. BENNETT. So far as I am concerned, it seems very clear to me that in section 1 the committee was considering a problem which had originated in an earlier session of Congress. The committee assumed that precedents in the House relating to the question of action which took place in an earlier Congress could not be rulings.

Mr. WELKER. The Senator is only assuming, and he really does not know what he is talking about. Is that not correct?

Mr. BENNETT. May I suggest that perhaps both of us are in the same situation? [Laughter in the galleries.]

Mr. WELKER. I will stake my reputation on that. Either that quotation of the law by the select committee is correct—and this is not a question, and I do not want any more speeches—or this august body has been misled, and certainly neither the junior Senator from Utah, nor anyone else, would ever suspect the committee of attempting to mislead.

The Senator took a great deal of time a moment ago in criticising the junior Senator from Wisconsin, the defendant in this political trial, for using the words "unwitting handmaidens of the Communist Party."

Mr. BENNETT. That is correct.

Mr. WELKER. The other day when I asked the Senator to let me interrupt him, which he refused, and then graciously gave me time, which we did not get opportunity to take advantage of until now, I told the Senator I wished to interrogate him at length. The Senator referred to "handmaiden" as a vulgar expression.

Mr. BENNETT. No.

Mr. WELKER. Yes, the Senator did; though he may have stricken it out of the RECORD. I shall check the RECORD.

Mr. BENNETT. I am sorry. I said the definition was that "handmaid" or "handmaiden" was a servant of low degree. It does not seem to me that that imputes any vulgarity.

Mr. WELKER. Now, I quote to the Senator the words of Holy Scripture, and I am sure that he knows more about that than I do because he is a devout Christian man, not only in his own faith but in all faiths:

Behold the handmaid of the Lord.

That was the answer of the mother of Christ to the angel Gabriel, who brought her the message that she was to become the mother of Christ.

Mr. BENNETT. I am sure the person who said that felt that she was a person of low degree compared to Him from whom the message came.

[Laughter and applause in the galleries.]

The PRESIDING OFFICER (Mr. PAYNE in the chair). The Senator from Idaho will suspend, and the time will not be charged to him, but the Chair must respectfully advise persons occupying the seats in the galleries that they are here as guests of the Senate, and must abide by the rules of the Senate, which do not permit any outbursts of approval or disapproval of any matters that are under discussion on the floor of the Senate.

The Senator from Idaho may proceed. Mr. BENNETT. Mr. President, may I—

Mr. WELKER. The Senator from Utah does not have the floor. The Senator has answered my question. I am interrogating him.

Mr. BENNETT. May the junior Senator from Utah make it clear that he does not have the floor? The Senator from Idaho has the floor.

Mr. WELKER. I think the Senator finished the answer.

Mr. BENNETT. And that the Senator from Utah is standing here out of courtesy to the Senator from Idaho.

Mr. WELKER. Something the Senator promised me a week ago or whenever it was.

Mr. BENNETT. May the junior Senator from Utah make it clear that he has completed the tenure of his time, 15 minutes, the equivalent of half of his time.

Mr. WELKER. The Senator does not wish to yield further?

Mr. BENNETT. Oh, I shall be happy to yield.

Mr. WELKER. In view of the fact that the Senator is trying to put me in the hole, I ask him to take his seat, and I shall ask the questions and then ask him if he wants to take the time to answer them.

Mr. President, what is the definition of "unwitting"? I wonder if the distinguished junior Senator from Utah has looked up that definition. It means this: "Not knowing; unconscious; unaware; unintentional."

Certainly a man who is on trial for his political life, and, yes, perhaps his physical life, if he is kept on trial for 10 straight months, is entitled to use verbiage such as that. I have quoted from Holy Scripture, and I have read the definition of "unwitting."

Now let me refer to the Tuesday, September 28, 1954, issue of the Daily Worker, the official organ, the official newspaper, of the Communist Party, and let me read for the record what it said:

#### THROW THE BUM OUT

America is catching up with McCARTHY. The six-man Senate committee has voted unanimously in favor of Senate censure of the arch conspirator against the American Constitution.

Underlying that is the following:

It is good news for America—for its free speech, its right to speak out for peace, co-existence, and the abolition of H-bomb war—that McCarthyism is no longer the untouchable sacred cow. The good sense of the people has won this important achievement.

However, the GOP, backed in this by the Democratic Party leader in the Senate, is trying to sweep the McCARTHY issue under the rug for the elections. They have ordered

the postponement of any Senate action till after the elections. They thus hope to keep the issue quiet.

But the country has seen enough of the sordid McCARTHY conspiracy not to be content with this trick. In the first place, the voters should insist to their Senators on a Senate meeting before the November elections. They should insist on a swift vote of censure before November.

Following that, the country has every right to expect that the Senate will not merely rebuke McCARTHY for overstepping some of the rules but will waste no time in digging into his whole shabby career.

That, my distinguished friend, is not from the Payette Independent Enterprise, of Payette, Idaho, but from the official publication of the Communist Party.

In view of the definitions of the word "unwitting" which I have read, here sits a man singled out—singled out alone—to be tried in this court without any rules of evidence, without any rules of law, without any court to instruct. Why could not a man make a reasonable mistake, if one wants to call it such? Personally, I would not have used the language, but certainly there was some justification for it, in view of the record and the facts.

I challenge the Senator from Utah to answer this, and he can ask for time. As I remember, the Senator said in effect that the junior Senator from Wisconsin had impliedly accused the select committee of being agents in fact of the Communist Party, and so forth; that the Communists would take over by virtue of this activity. If the theory of the Senator is correct, why does not someone propose a censure resolution, without a hearing, as has been done by the junior Senator from Utah in this instance, against the distinguished Senator at my right, the great Senator from Indiana [Mr. JENNER], chairman of the Internal Security Subcommittee of the Committee on the Judiciary, or against the great and able Senator from Arizona [Mr. GOLDWATER]? We have been told that, as a great, august, and deliberative body, if it can be so denominated, that is exactly what should have been done; but that was not done. JOE McCARTHY told the Senator and everyone else that he did not feel that the select committee members were Communists or that they were going hand in hand with them.

As the Senator from Indiana [Mr. JENNER] stated in his dynamic way, the junior Senator from Utah has never sat across the table, looking at these scheming, thieving, lying witnesses, who would undermine not only the committees and the Senate, but this great country of ours. Listen to the words of the distinguished Senator now present, a man to whom the Senator from Connecticut [Mr. BUSH] paid great tribute yesterday, to the effect that three men have been thrown out of the committee hearings by able Senators, two lawyers, and another witness, thrown out by an able Senator from the other side of the aisle.

I want to know what is going on. In the late, sorrowful hours of the night, when Senator McCARTHY is worrying about his future, when his wife, his brother, and all his relatives are thinking of what is going on here in this mock



court, did Senator McCARTHY have a right to assume that communism was behind this move, when the architect, the author, of Senate Resolution 301 had his picture contained, not in cartoon form, but in a very nice display, in the Daily Worker of Wednesday, July 14, 1954, with the heading "Aid Senate Fight on McCARTHY."

Mr. President, I ask unanimous consent that the remainder of the article from which I have been quoting be printed in the RECORD at this point.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

The effort of Senator RALPH FLANDERS, Republican, of Vermont, to strip Senator JOSEPH McCARTHY, Republican, of Wisconsin, of his committee chairmanships is gaining ground in the United States Senate. Several Republicans have already indicated support. While a number of Democrats are also for it, the Senate tory Democratic leadership has tried to evade the struggle by maintaining McCARTHY is a Republican problem.

Among Republicans who have not yet lined up behind the Flanders resolution is Senator IRVING M. IVES, of New York.

We urge all New Yorkers to write to IVES, insisting he support the Flanders resolution.

We urge New Yorkers to write to Senator HERBERT LEHMAN, suggesting he put the heat on the Democratic Senate leadership to line up behind the resolution.

We urge readers everywhere to take similar action in connection with their Senators.

#### WRITE YOUR SENATORS

Tell the two Senators from your State to support the Flanders censure resolution. Urge the organizations to which you belong to do likewise.

In New York, Senator LEHMAN says he will support the censure; Republican IRVING M. IVES has been silent.

Many are also writing to Senator FLANDERS giving him their support in this move.

#### STILL TIME TO CENSURE

The next few days will tell whether McCARTHY can still blackmail the country. A shower of wires, letters, and calls will go a long way toward giving the Senators an indication of the feelings at home. They should be told no adjournment until Senator McCARTHY is severely censured.

#### ACT NOW

We urge all readers to write at once to their Senators, insisting they vote for the Flanders resolution.

We urge all readers to reach their fellow workers and neighbors and the leaders of the unions and other organizations they might belong to, urging them to take similar action.

They should also make their will known to Senator LYNDON JOHNSON, Democratic Senate leader, who is dodging the issue on the excuse that this is an inner Republican squabble.

Mr. WELKER. The picture of the distinguished junior Senator from Vermont [Mr. FLANDERS], printed with the article, is a pretty good one; it is a photograph.

The PRESIDING OFFICER. The Senator from Idaho will suspend until there is order in the Chamber. Conversations will please cease.

The Senator from Idaho will proceed.

Mr. WELKER. Mr. President, in the Daily Worker of New York for Wednesday, August 23, 1954, there appears a cartoon of J. Edgar Hoover and Joe McCARTHY. I have never seen such a

despicable attempt to malign or abuse any human being, no matter how rude, or crude he might be, as that vicious thing. I ask the junior Senator from Utah [Mr. BENNETT] to look at it, and then in his own conscience pass judgment on it. I am addressing myself to the junior Senator from Utah, my friend, and one who will always be my friend. He is a highly religious man. We came to the Senate together, and perhaps we shall leave here together. [Laughter.] In the spirit of forgiveness that blesses his great church, I ask him whether he would have a bit of charity in his heart for a man who is here on the hot seat, with his name being blazed all over the world as an awful character who did something ruthless when he cross-examined an arrogant, evasive witness.

For the record, let me say that I would have loved to see that witness cross-examined by the chairman of the select committee, the senior Senator from Utah [Mr. WATKINS], with whom I have served on committee. I would have loved to have seen him cross-examine General Zwicker, because no abler cross-examiner lives than the distinguished senior Senator from Utah; and he cross-examines in the way that any good lawyer would, having a desire to get only the truth and the facts. Yet he has "gone overboard" at times, in the process of cross-examining. But certainly the art of cross-examination is the hardest thing to master in the practice of law. A good cross-examiner must obtain the facts. I do not agree with those who say that General Zwicker was not evasive and arrogant. Let Senators examine the record. Let Senators read the remarks I made. I stated exactly the places in his testimony where General Zwicker hemmed and hawed and hedged and ducked. Why did he do that? He did it because he did not want to tell Senator McCARTHY the facts.

How about the references to "s. o. b."? The select committee completely forgot about that, when it came forth with its report. Perhaps the committee thought he was talking about officer of the day, and that perhaps the witness might not have sworn falsely to his God, because he might not have understood.

I know that my distinguished friend, the junior Senator from Utah, although he is a devoutly religious man, does not misunderstand the meaning of "s. o. b." He knows that in his State and in my State the meaning of that expression is understood, and it is not understood as meaning "OD" either. "S. o. b." is fighting language anywhere in the United States, I am sure.

So I beg Senators to have a bit of charity. I say to my colleagues that I am trying to be honest and fair. If now the Senate votes to "get Senator McCARTHY," the next time the one involved might be Senator JENNER, and the next time it might be Senator WATKINS, and the next time it might be Senator MARTIN, and so on and so on, ad infinitum.

Here we stand, Mr. President, ready to establish a precedent, ready to take a step never before taken in the history of the United States Senate. In this

case, section 2 of the resolution is based on the use of certain words. Who raised objection to them? Not a single person. Yet it is proposed that we censure a Senator for using them. If we do, that censure will follow him to the end of his political career, and will bring disgrace upon his sovereign State. To the great State-righters in the Senate, I say that the sovereign people of the great State of Wisconsin should be the judges of the facts in this case. We are wasting our time.

Yet some Senators take the attitude that we shall have to wear tennis shoes to keep from being censured. I say to the Senate that the judges and jury in this matter are, not the 96 Members of the Senate, but the 160 million Americans all over this land.

Mr. President, I am sorry this had to happen. In my opinion, the only thing that can be done now is to accept the apology which JOE McCARTHY made. Let me refer to the words of the great Senator CORDON, who is soon to leave us, and than whom, in my opinion no finer Senator ever served in this body. He said that Senator McCARTHY made his apology. Mr. President, perhaps in making his apology, Senator McCARTHY was not flowery enough or picturesque enough. Perhaps his apology should have been made before a television camera which would have shown JOE McCARTHY going down the center aisle in this Chamber, apologizing, and saying, "I am sorry, sir. I am sorry."

But knowing that fighting Irishman from Wisconsin, I know that he went to the bottom of his heart and tried his best to vindicate himself with his colleagues in the Senate.

Mr. President, how much time have I remaining?

The PRESIDING OFFICER. Six minutes.

Mr. DANIEL of Texas. Mr. President, will the Senator from Idaho yield to me for a question?

Mr. WELKER. I am glad to yield to my distinguished friend for a question.

Mr. DANIEL of Texas. I should like to ask the Senator from Idaho whether he intends to cover, or whether there is any dispute as to the facts alleged in the so-called Bennett amendment? Is there any dispute or denial that the statements alleged were actually made by the junior Senator from Wisconsin [Mr. McCARTHY]?

Mr. WELKER. Mr. President, I am delighted that my distinguished and able friend and great attorney, the junior Senator from Texas [Mr. DANIEL], has asked me that question.

How under the canopy of heaven could we know? There has never been a preliminary hearing; there has never been an indictment by a grand jury. But out of the cold, open sky comes a resolution—bang. In the resolution the junior Senator from Wisconsin is told, "You are guilty of this, and therefore you should be censured." That is why no facts are set forth, and that is why there is no dispute about the facts—because no one has had a chance to take the testimony. I know that my distinguished friend, able prosecutor that he is—and I pay tribute to him, not only

as a great Senator, but as an outstanding former attorney general—does not believe that is fair and honorable in any court or even in the United States Senate.

Mr. DANIEL of Texas. The Senator from Idaho may remember that earlier in the year I made a statement to the effect that there should be an opportunity for the evidence to be developed on the original Flanders resolution. But, of course, during that argument it was pointed out at various times that when offensive acts have occurred on the floor in the presence of the Senate, or when there was no dispute as to the facts, the Senate and other parliamentary bodies have acted without formal hearings, the same as the courts act in cases of contempt. The facts being undisputed, there was no need to hear evidence.

In all sincerity, in order that I might arrive at my decision regarding the proper procedure, I should like to know whether there is any question as to the accuracy of the factual allegations in the Bennett amendment.

Mr. WELKER. I have no way of answering that question, because no one knows. I do not know whether he intended to use the low, vile language which some persons would ask Senators to believe he intended to use, or whether he tried to be charitable, and tried to dress it up, so to speak. But let me say that, as I understand the facts in this case—and, bear in mind, I am as naïve about these matters as is any other Senator—there has never been a preliminary hearing, an indictment, a bill of particulars, or anything else. All I know is that only one allegation relates to something which took place upon the floor of the Senate. That is the only basis; and if that be the only basis, what happens to rule XIX, section 2? Are we going to hop over it and say, "No; that is aimed only at profanity, or calling a man a traitor, or a dirty, slimy creature seeking votes, or words to that effect?"

That is the thing that worries me. In all sincerity, I believe that this case should be heard by a committee.

Mr. DANIEL of Texas. Does the Senator mean that even if there is no dispute as to the factual allegations a committee should be appointed to hear evidence? In the Bingham case there was no dispute as to the facts. The Senate acted without further hearing. If there is no dispute about the junior Senator from Wisconsin having written a letter to the chairman of the select committee charging three members of the committee with deliberate deception and fraud, and no dispute as to the additional factual allegations, I disagree with the Senator on the necessity for a committee hearing. What I am trying to find out is whether any of these allegations are being denied by the junior Senator from Wisconsin.

Mr. WELKER. Is the Senator sure that the Bingham case was not referred to the standing Committee on Privileges and Elections?

Mr. DANIEL of Texas. Before any censure charge was filed, the Committee on Privileges and Elections heard the facts and reported to the Senate.

Mr. WELKER. That is correct.

Mr. DANIEL of Texas. Following that report a censure charge was made, and

no additional hearing was held because, as one Senator—I believe it was Senator Norris—said, the facts were undisputed. There was no other evidence to be heard. No Senator contended then that the facts reported were untrue, and as far as I have heard here, it has not been contended that there is any question or dispute as to the facts alleged in the Bennett amendment. If so, I would like to know about it, because this is most important with reference to procedure.

Mr. WELKER. Very true; but at least the standing Committee on Privileges and Elections heard the case. Perhaps the defendant, the tortfeasor, or whatever he may be called, has an explanation which would satisfy a standing committee or a select committee. We should never adopt the attitude that whenever we do not like something that is said on the floor of the Senate we should bang away with a censure resolution. If that becomes the law of this body, I expect to have my censure resolutions mimeographed or printed by the thousands. One who has served in this body as short a time as I have served, and who sees these unfortunate things happen, feels very sad over the situation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. WELKER. Mr. President, I withdraw my motion.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. BENNETT] in the nature of a substitute for the modified committee amendment to section 2.

Mr. KNOWLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|               |                 |              |
|---------------|-----------------|--------------|
| Abel          | Fulbright       | Martin       |
| Aiken         | George          | McClellan    |
| Anderson      | Gillette        | Millikin     |
| Barrett       | Goldwater       | Monroney     |
| Beall         | Green           | Morse        |
| Bennett       | Hayden          | Mundt        |
| Bridges       | Hendrickson     | Murray       |
| Brown         | Hennings        | Neely        |
| Burke         | Hickenlooper    | O'Mahoney    |
| Bush          | Hill            | Pastore      |
| Butler        | Holland         | Payne        |
| Byrd          | Hruska          | Potter       |
| Carlson       | Humphrey        | Purtell      |
| Case          | Ives            | Robertson    |
| Chavez        | Jackson         | Russell      |
| Clements      | Jenner          | Saltonstall  |
| Cooper        | Johnson, Colo.  | Schoeppel    |
| Cotton        | Johnson, Tex.   | Scott        |
| Daniel, S. C. | Johnston, S. C. | Smith, Maine |
| Daniel, Tex.  | Kefauver        | Smith, N. J. |
| Dirksen       | Kerr            | Sparkman     |
| Douglas       | Kilgore         | Stennis      |
| Duff          | Knowland        | Symington    |
| Dworshak      | Kuchel          | Thye         |
| Eastland      | Langer          | Watkins      |
| Ellender      | Lehman          | Welker       |
| Ervin         | Long            | Williams     |
| Ferguson      | Magnuson        | Young        |
| Flanders      | Malone          |              |
| Frear         | Mansfield       |              |

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Utah [Mr. BENNETT] to the modified committee amendment to section 2.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Illinois will state it.

Mr. DOUGLAS. Will the Vice President state the precise nature of the motion which is now to be voted on?

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the junior Senator from Utah [Mr. BENNETT] to the committee amendment, as modified.

Mr. DOUGLAS. I thank the Vice President.

The VICE PRESIDENT. Does the Senator from Illinois wish the amendment to be read?

Mr. DOUGLAS. I do not.

The Chief Clerk proceeded to call the roll.

Mr. CASE (when his name was called). For the reasons stated earlier, inasmuch as I had the floor at the time the junior Senator from Wisconsin asked unanimous consent to make his insertion and I yielded for that purpose with some knowledge of what his statement said and thereby permitted the insertion to be made, and further in view of the fact that many of the words complained of in the pending amendment were directed toward members of the select committee, I feel that I have a personal interest in the matter, and therefore I ask to be excused from voting. I answer "present."

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The Senator from Oregon [Mr. CORNON] is absent on official business and the junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

On this vote the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay," and the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

I announce also that, if present and voting, the Senator from Tennessee [Mr. GORE] would vote "yea."

The result was announced—yeas 64, nays 23, as follows:

#### YEAS—64

|          |         |          |
|----------|---------|----------|
| Abel     | Bennett | Carlson  |
| Aiken    | Burke   | Chavez   |
| Anderson | Bush    | Clements |
| Beall    | Byrd    | Cooper   |



|               |                 |              |
|---------------|-----------------|--------------|
| Daniel, S. C. | Holland         | Neely        |
| Daniel, Tex.  | Humphrey        | O'Mahoney    |
| Douglas       | Ives            | Pastore      |
| Duff          | Jackson         | Payne        |
| Eastland      | Johnson, Colo.  | Potter       |
| Ellender      | Johnson, Tex.   | Robertson    |
| Ervin         | Johnston, S. C. | Russell      |
| Ferguson      | Kefauver        | Saltonstall  |
| Flanders      | Kerr            | Scott        |
| Frear         | Kilgore         | Smith, Maine |
| Fulbright     | Lehman          | Smith, N. J. |
| George        | Long            | Sparkman     |
| Gillette      | Magnuson        | Stennis      |
| Green         | Mansfield       | Symington    |
| Hayden        | McClellan       | Thye         |
| Hendrickson   | Monroney        | Watkins      |
| Hennings      | Morse           |              |
| Hill          | Murray          |              |

## NAYS—23

|           |              |           |
|-----------|--------------|-----------|
| Barrett   | Hickenlooper | Millikin  |
| Bridges   | Hruska       | Mundt     |
| Brown     | Jenner       | Purtell   |
| Butler    | Knowland     | Schoeppel |
| Cotton    | Kuchel       | Welker    |
| Dirksen   | Langer       | Williams  |
| Dworshak  | Malone       | Young     |
| Goldwater | Martin       |           |

## NOT VOTING—8

|          |          |          |
|----------|----------|----------|
| Bricker  | Gore     | Smathers |
| Capehart | Kennedy  | Wiley    |
| Cordon   | McCarthy |          |

## ANSWERED "PRESENT"—1

## Case

So Mr. BENNETT's amendment to the committee amendment, as modified, was agreed to.

The VICE PRESIDENT. The question recurs on agreeing to the committee amendment, as amended.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from New Hampshire will state it.

Mr. BRIDGES. If it is desired to offer an amendment to the amendment which has just been adopted, would it be proper to offer such an amendment at this time or would it be proper to offer it at a subsequent time?

The VICE PRESIDENT. An amendment to the amendment just adopted would not be in order except on a reconsideration of the vote. An amendment to the resolution would be in order.

Mr. BRIDGES. In other words, once the committee amendment is formally adopted and it becomes a part of the resolution, then, as a part of the resolution, it is subject to amendment. Is that correct?

The VICE PRESIDENT. No; but the resolution itself would be open to further amendment.

Mr. BRIDGES. The amendment agreed to would be a part of the resolution?

The VICE PRESIDENT. That is correct.

Mr. BRIDGES. Therefore, it would be open to amendment. Is that correct?

The VICE PRESIDENT. The amendment, once it is adopted, would not be open to further amendment, but the resolution would be open to further amendment by the addition of a new section. Does that answer the Senator's inquiry?

Mr. BRIDGES. I believe it does.

The VICE PRESIDENT. The resolution will be open to amendment by the addition of a new section, but this section of the resolution will not be open to further amendment.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. The question now recurs on the committee amendment, as amended, does it not?

The VICE PRESIDENT. That is correct.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOUGLAS. Will the Chair inform me whether if section 2, as amended, is approved by the Senate it will then be necessary to vote on sections 1 and 2?

The VICE PRESIDENT. The vote will then be on the entire resolution.

Mr. JOHNSON of Texas. Mr. President, a point of order. The rollcall has commenced.

Mr. JENNER. I demand the regular order, Mr. President.

The VICE PRESIDENT. The clerk will proceed with the call of the roll.

The Chief Clerk resumed and concluded the call of the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

The junior Senator from Wisconsin [Mr. MCCARTHY] is necessarily absent.

On this vote, the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Indiana [Mr. CAPEHART] would vote "nay," and the Senator from Florida [Mr. SMATHERS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that the Senator from Florida [Mr. SMATHERS] is paired on this vote with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

I announce also that, if present and voting, the Senator from Tennessee [Mr. GORE] would vote "yea."

The result was announced—yeas 64, nays 24, as follows:

## YEAS—64

|               |                |                 |
|---------------|----------------|-----------------|
| Abel          | Ervin          | Johnston, S. C. |
| Alken         | Ferguson       | Kefauver        |
| Anderson      | Flanders       | Kerr            |
| Beall         | Frear          | Kilgore         |
| Bennett       | Fulbright      | Lehman          |
| Burke         | George         | Long            |
| Bush          | Gillette       | Magnuson        |
| Byrd          | Green          | Mansfield       |
| Carlson       | Hayden         | McClellan       |
| Chavez        | Hendrickson    | Monroney        |
| Clements      | Hennings       | Morse           |
| Cooper        | Hill           | Murray          |
| Daniel, S. C. | Holland        | Neely           |
| Daniel, Tex.  | Humphrey       | O'Mahoney       |
| Douglas       | Ives           | Pastore         |
| Duff          | Jackson        | Payne           |
| Eastland      | Johnson, Colo. | Potter          |
| Ellender      | Johnson, Tex.  | Robertson       |

|              |              |         |
|--------------|--------------|---------|
| Russell      | Smith, N. J. | Thye    |
| Saltonstall  | Sparkman     | Watkins |
| Scott        | Stennis      |         |
| Smith, Maine | Symington    |         |

## NAYS—24

|          |              |           |
|----------|--------------|-----------|
| Barrett  | Goldwater    | Martin    |
| Bridges  | Hickenlooper | Millikin  |
| Brown    | Hruska       | Mundt     |
| Butler   | Jenner       | Purtell   |
| Cordon   | Knowland     | Schoeppel |
| Cotton   | Kuchel       | Welker    |
| Dirksen  | Langer       | Williams  |
| Dworshak | Malone       | Young     |

## NOT VOTING—7

|          |          |       |
|----------|----------|-------|
| Bricker  | Kennedy  | Wiley |
| Capehart | McCarthy |       |
| Gore     | Smathers |       |

## ANSWERED "PRESENT"—1

## Case

So the committee amendment, as amended, was agreed to.

Mr. WATKINS. Mr. President, I move that the vote by which the committee amendment, as amended, was agreed to, be reconsidered.

Mr. IVES. Mr. President, I move to lay that motion on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York [Mr. IVES] to lay on the table the motion of the Senator from Utah [Mr. WATKINS] to reconsider.

The motion to lay on the table was agreed to.

The VICE PRESIDENT. The question recurs on agreeing to the resolution.

Mr. JOHNSON of Colorado. Mr. President, I call up my amendment and ask that it be stated.

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from Colorado.

The CHIEF CLERK. Amendment offered by Mr. JOHNSON of Colorado for himself, Mr. BYRD, and Mr. DANIEL of Texas, proposes to add the following new section:

Sec. 3. It is the sense of the Senate that the Communist Party of the United States is not a domestic political party in the usual tradition, but is a part of the international Communist conspiracy, a deadly menace to the United States, and the enemy of all democratic forms of government. Accordingly, the Senate's appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith.

Mr. JENNER. Mr. President, I make the point of order that the amendment is out of order.

The VICE PRESIDENT. Does the Senator from Colorado desire to speak to his amendment?

Mr. JOHNSON of Colorado. I had intended to discuss the amendment; but if the point of order be sustained, then the amendment cannot be discussed. So I wish to make another motion, in order to obtain the floor.

The VICE PRESIDENT. If the Senator from Colorado does not desire to discuss the parliamentary point, the Chair rules that the amendment offered by the Senator from Colorado is not germane and, therefore, is not in order.

Mr. JOHNSON of Colorado. Mr. President, I move to amend section 2 by striking out the last word.

The VICE PRESIDENT. Section 2 has now been disposed of. The motion to reconsider has been laid on the table;

consequently the Senator's motion is not in order.

Mr. JOHNSON of Colorado. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state it.

Mr. JOHNSON of Colorado. Is any amendment to the pending measure in order; and if so, what amendment would be in order?

The VICE PRESIDENT. The resolution at present is open to amendment. For example, a new section could be offered to the resolution, but such section must be germane.

Mr. JENNER. Mr. President, I ask for the regular order.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Florida will state it.

Mr. HOLLAND. Is my understanding correct that in order for any proposed new section to be in order, it must relate to the conduct of the junior Senator from Wisconsin?

The VICE PRESIDENT. It must relate to the subject matter of the resolution; and, of course, the interpretation which the Senator from Florida has placed upon it might be considered reasonable. Such a proposed section must be within the subject matter of the resolution.

Mr. DANIEL of Texas. Mr. President, has the point of order been ruled upon?

The VICE PRESIDENT. The Chair has ruled that the point of order is well taken, and that the amendment proposed by the Senator from Colorado [Mr. JOHNSON] is not in order.

Mr. DANIEL of Texas. I offer an amendment to add a new section, and I ask unanimous consent that I may read it.

The VICE PRESIDENT. Is there objection?

Mr. LANGER. We cannot hear the Senator.

The VICE PRESIDENT. Will the Senator from Texas again state his unanimous-consent request?

Mr. DANIEL of Texas. I rise to offer an amendment to add a new section to the resolution, and I ask unanimous consent that I may read the amendment which is in the form of a proposed new section.

Mr. JENNER. I object.

The VICE PRESIDENT. Objection is heard.

Mr. DANIEL of Texas. Then I send the amendment to the desk and ask that it be read.

The VICE PRESIDENT. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the resolution it is proposed to add a new section, as follows:

Nothing contained in this resolution shall be construed as a precedent or an intention on the part of the Senate to limit the investigative powers and responsibilities of its committees, especially with reference to the Communist Party of the United States, a part of the international Communist conspiracy. On the contrary, it is the sense of the Senate that its appropriate committees should continue diligently and vigorously to investigate, expose, and combat this conspiracy and all subversive elements and persons connected therewith.

Mr. JENNER. Mr. President, I make the point of order that the amendment is out of order.

Mr. DANIEL of Texas. Will the Senator from Indiana be kind enough to withhold his point of order, so that I may make a statement?

Mr. JENNER. I withhold my point of order.

Mr. DANIEL of Texas. This amendment, which is offered on behalf of the Senator from Colorado [Mr. JOHNSON], the Senator from Virginia [Mr. BYRD], and myself, is similar to the amendment that has previously been objected to, except that I have attempted to word the amendment so that it will be germane. It refers to what the Senate has already done, and places an interpretation thereon to the effect that our action here should not be construed as any precedent or intention to limit the investigative powers of the committees of the Senate, especially with reference to the Communist Party, a part of the international Communist conspiracy.

To the contrary, the amendment states that it is the sense of the Senate that our committees should conduct with vigor and diligence the investigation and exposure of this conspiracy. I think that the amendment has been worded so that it is germane.

Before objection is raised, I would appeal to the Senator from Indiana [Mr. JENNER] not to raise a point of order on this amendment. It has been wrongfully alleged that our action in censuring the junior Senator from Wisconsin has been inspired by the Communist Party, and that the hands of the Communist Party have reached into the Senate in this matter. This is not true. It has been alleged that the Communist Party and the Daily Worker will be very happy over this action.

Mr. JENNER. For the Senator's information, they are already happy.

Mr. DANIEL of Texas. I should like to continue.

Mr. JENNER. The Senator may continue.

Mr. DANIEL of Texas. I want to make the Communists unhappy, and they will be unhappy, if the Senator from Indiana will permit this amendment to be included in the resolution, so that the truth will be stated. It is already known to the Members of this body that the resolution was not inspired by the Communist Party, and no Member of the Senate wishes to give comfort to the Communist Party.

If the Senate will agree to this amendment, we shall be saying to the world, by the official action of the Senate, that the allegations which have been made are untrue, that we are going to continue our fight against communism and subversion. Thereby we will accomplish the good purpose of preserving the honor and dignity of the Senate, and we will do so in a manner from which the Community Party and the Daily Worker can take no comfort. I am sure the Senate would adopt this resolution if the point of order is not raised. I appeal to those who have said that the Communists would take comfort from our action to permit the adoption of this amendment to the resolution, which will

state the truth about the matter, namely, that the United States Senate, to a Member, is against the Communist Party and the international Communist conspiracy; that we want our investigations to continue, and that they shall continue.

Mr. KNOWLAND. Mr. President, will the Senator from Texas yield for a question?

Mr. DANIEL of Texas. I yield to the Senator from California.

Mr. JENNER. Mr. President, I have the floor.

Mr. KNOWLAND. Mr. President, will the Senator from Indiana yield to me?

Mr. JENNER. I yield.

Mr. KNOWLAND. I think the point of order is well taken, because Senators on the Democratic side of the aisle quite properly wanted a strict rule of germaneness, so that other censure resolutions might not be introduced. We have abided by that wish under the unanimous-consent agreement.

I may say to the Senator from Texas that while I think the point of order is well taken, there would be nothing to prevent the Senator, when this resolution is disposed of, from offering his amendment as a separate resolution. In that way we would abide by the rule of germaneness, and not open the door to other violations of the rule of germaneness. At the same time the Senate later could express itself in the manner suggested by the Senator from Texas, if it so desired.

Mr. DANIEL of Texas. I thank the majority leader, but the Senate has done this by separate action many times. I regret that anyone would object to it being made a part of the pending resolution.

The VICE PRESIDENT. The Chair is ready to rule on the point of order.

Mr. JENNER. Mr. President, I have the floor.

The VICE PRESIDENT. The Senator from Indiana has made a point of order.

Mr. JENNER. I have made a point of order.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. JENNER. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana wish to make another point of order?

Mr. JENNER. I am seeking recognition.

The VICE PRESIDENT. The Senator from Indiana is recognized.

Mr. JENNER. Mr. President, what has been done here will be well understood by the Communists.

The VICE PRESIDENT. The Senator from Indiana, in order to obtain the floor, must offer a motion or an amendment.

Mr. JENNER. Mr. President, on page 2, line 12, I offer an amendment to strike the following language:

Thereby tending to destroy the good faith which must be maintained between the executive and legislative branches in our system of government.

The VICE PRESIDENT. The Chair must inform the Senator from Indiana that the resolution at this time is subject to amendment only by adding a new section. It is not subject to amendment otherwise.



Mr. JENNER. I move to table the resolution.

The VICE PRESIDENT. That motion is in order, and the Senator from Indiana is recognized.

Mr. BENNETT. Mr. President, before the Senator from Indiana begins—

Mr. JENNER. Oh, no; I will do the talking now.

Mr. President, this has turned out to be a rather amusing affair. What worries me is: What happened to Zwicker? Zwicker has been thrown out the window. Poor old Zwicker. He does not count now. Zwicker is not in the resolution. It does not matter what happens to a Senator, but be careful what you do to a general. Senators are in a different category. It is wonderful to see the attitude of my friends on the other side of the aisle. Now they want to fight communism. They call the Daily Worker—

Mr. HOLLAND. Mr. President, I call for the regular order.

Mr. JENNER. They are not going to gild the lily. The record is made, and they are going to stay with their record every day, from now on. Oh, sure, we know how their party let Communists into our Government, how the Communists undertook the subversion of this country, how they stole our secrets, and how they worked themselves into high positions in the Government. I warned the country that the same thing would happen to the Republican Party, and it is happening. But you are not going to gild the lily. We are all guilty of sin, but by your deeds and by your votes the world and the country will know you.

That is all. I withdraw my motion.

Mr. BENNETT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BENNETT. Is a motion to recommit in order?

The VICE PRESIDENT. Such a motion is in order.

Mr. BENNETT. Then the junior Senator from Utah makes a motion to recommit. Does that give the junior Senator from Utah 30 minutes time?

The VICE PRESIDENT. It does.

Mr. BENNETT. The junior Senator from Utah will claim his time.

Mr. HICKENLOOPER. Mr. President, I ask for the yeas and nays on the motion.

The yeas and nays were ordered.

The VICE PRESIDENT. The Senator from Utah is recognized.

Mr. BENNETT. Mr. President, the junior Senator from Utah made his motion in the same spirit as the Senator from Idaho made his motion to lay on the table, simply to get a minute or two in order to comply with the request made by the Senator from Texas [Mr. DANIEL] during his questioning of the Senator from Idaho. The question raised by the Senator from Texas was whether or not there was any dispute as to the allegation that the junior Senator from Wisconsin had actually made the statements alleged in the amendment offered by the junior Senator from Utah, and now agreed to. The junior Senator from Utah feels, therefore, that this matter should be cleared up, and the material

indicating that there is no dispute about the fact should be put in the RECORD before the final vote is taken.

The words "deliberate deception" and "fraud" appearing on line 6 of my amendment were contained in a letter addressed by the junior Senator from Wisconsin [Mr. McCARTHY] to the senior Senator from Utah [Mr. WATKINS], chairman of the select committee. The letter was dated October 25, 1954. The copy which I hold in my hand states in the upper left-hand corner, "From the office of Senator JOE McCARTHY. Overnight release October 26, 1954."

That was released, and I hold in my hand a photostatic copy of a news story published in the Washington Post and Times Herald of October 27, 1954. I have established that the story was written by Mr. John A. Goldsmith, of the United Press, on the basis of the letter supplied by Senator McCARTHY. I ask unanimous consent to have printed in the RECORD at this point the letter and the news article to which I have referred.

There being no objection, the letter and news article were ordered to be printed in the RECORD, as follows:

OCTOBER 25, 1954.

Senator ARTHUR V. WATKINS,  
Senate Office Building,  
Washington, D. C.

DEAR SENATOR WATKINS: While I have not yet received an answer to my letter inviting you to appear before the committee to give us information which in your report you indicate you have in the Peress case, I note from news stories that you are quoted as saying you will not be able to appear before November 8.

In view of the importance of this question of who promoted and gave an honorable discharge to this fifth-amendment Communist, who according to the testimony was a graduate of a Communist-leadership school, you could, of course, be subpoenaed to appear before the 8th of November. However, I have decided not to issue a subpoena for you. Therefore, will you tell me what day after November 8 you can appear? It has been announced that the Senate sessions will start at 12 noon, which leaves you free in the forenoon. It is important that I have the date that you can appear so I may notify the other members of the investigating committee who undoubtedly will wish to be present.

I note further your suggestion that I call the other members of the Watkins committee. You apparently are confused as to the purpose of your being called. I have no intention of questioning you or any of the other members of the Watkins Committee in regard to your activities on that committee. For example, it now is unquestioned that three of the members of the committee, including yourself, indicated prejudice toward me before you were selected to act on that committee and failed to tell the Vice President of your statements in that regard before he appointed you to this committee. This would appear to be a deliberate deception of the Vice President and a fraud upon the Senate which obviously intended that an unprejudiced committee be appointed. However, I have no intention whatsoever of questioning you on that point or any of the other activities of your committee.

I am, however, deeply interested in the statement on page 60 of your report which indicates that you know who was responsible for the Peress situation. You state that Peress' commanding officer was in no way responsible for the Peress situation and that I should place the blame on the shoulders of those culpable.

You, of course, know that I could not place the blame on the shoulders of those culpable unless I knew who they were. You know that under Army practice a man is not normally promoted or honorably discharged except upon the recommendation of his commanding officer—in this case Zwicker. Therefore, this statement in your report was either irresponsible in the extreme or you have information in the Peress matter which is not available to our committee.

You should not be reluctant to give us information in regard to the coddling of a man who has been named under oath as having been a full-fledged member of the Communist Party and a graduate of a Communist leadership school. The information as to who was responsible for his promotion, honorable discharge, and change in duty to a plush job might well serve as the key to Communist infiltration in key spots where they can do unlimited damage. I sincerely hope that I do not receive some excuse from you as to why you cannot appear, because nothing can be more important than finding additional keys to Communist infiltration.

May I hear from you by return wire so I can notify the other Senators as to the date of your appearance.

Sincerely yours,

JOE McCARTHY.

[From the Washington Post and Times Herald of October 27, 1954]

THREE SENATORS CALLED BIASED BY McCARTHY  
(By John A. Goldsmith)

Senator JOSEPH R. McCARTHY accused Chairman ARTHUR V. WATKINS (Republican, Utah) and two other Senators yesterday of deliberate deception and fraud for failing to disqualify themselves from the Senate Censure Committee.

WATKINS, whose special six-man committee recommended censure of McCARTHY on two counts, said at Salt Lake City that "I will not be provoked into a debate with Senator McCARTHY."

McCARTHY, in a letter to WATKINS, said the chairman and two unnamed committee members, indicated unquestioned prejudice against him before they were selected to serve on the censure group. But he said they failed to notify Vice President RICHARD M. NIXON of this prejudice before he appointed them.

WATKINS told reporters: "I will have nothing to say prior to filing of the committee report with the Senate. Our report has not been filed because the Senate is not in session until November 8."

The Senate will reconvene then to consider the committee's recommendation that McCARTHY be censured for his alleged abuse of Gen. Ralph W. Zwicker and his failure to answer questions of a Senate Elections Subcommittee which investigated his activities.

The Wisconsin Republican in his letter asked WATKINS when he would be ready to testify before the Senate in the promotion and honorable discharge of Maj. Irving Peress, former Army dentist who was cited by McCARTHY as a fifth-amendment Communist.

Although he did not name the two other Senators whose impartiality he questioned, McCARTHY previously has cited alleged bias on the part of Senators EDWIN C. JOHNSON (Democrat, Colorado) and SAM J. ERVIN (Democrat, North Carolina). He has made no direct challenge against any committee member.

ERVIN, at Sparta, N. C., accused McCARTHY of "trying to try the committee before the Senate gets around to trying him." He said that in judging charges against McCARTHY the only thing I considered was the evidence.

ERVIN said McCARTHY "might undertake to explain how it happened that the supposedly prejudiced Senators and the other Senators on the committee arrived at the same conclusion."

MCCARTHY had written WATKINS last Saturday asking him to testify before November 8 on the Peress case. He said the censure committee report indicates that WATKINS knows who was responsible for the promotion and honorable discharge granted the dentist.

WATKINS told reporters previous commitments would prevent his appearance before the McCarthy committee by the date set.

Mr. BENNETT. Mr. President, the next statement was the one about a "lynch party." That statement appeared in a news story printed in the New York Times of Friday, November 5, 1954, written by Mr. Foster, of the United Press. I ask unanimous consent to have that news article printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

**MCCARTHY VISIONS A "LYNCH PARTY" WHEN SENATE MEETS ON CENSURE—ASKS WATKINS TO EXPLAIN "IMBECILE RULING"—CRITICIZES ARMY REPORT ON PERESS—MOVES TO CLEAR UP WORK OF INQUIRIES**

WASHINGTON, November 4.—Senator JOSEPH R. MCCARTHY called on the Senate's Special Censure Committee today to explain what he called an "imbecile ruling" before the chamber begins its "lynch party" next Monday.

The Wisconsin Republican used the term "lynch party" to characterize the special Senate session that will meet Monday to consider the censure charges the committee made against him.

Mr. MCCARTHY, who previously had predicted the Senate would vote to censure him, released a letter to Senator ARTHUR V. WATKINS, Republican, of Utah, challenging a statement Mr. WATKINS had made during the censure hearings. Mr. WATKINS served as chairman of the censure committee.

Mr. MCCARTHY said Mr. WATKINS had prevented him from defending himself against the charge that he unjustly criticized a 1951-52 elections subcommittee that investigated his finances. One of the charges against Mr. MCCARTHY is that he was guilty of contempt for refusing to appear before the elections group.

He said one of the election subcommittee witnesses was mentally unstable and had a "bitter hatred" for him. He said Mr. WATKINS would not let him read a statement to that effect.

In his letter to Mr. WATKINS, Mr. MCCARTHY said the ruling meant that even if the subcommittee "were hiring insane people to investigate me, I would not be justified in criticizing that committee."

"Perhaps you might want to explain that imbecile ruling before the debate [on the censure charges] commences," Mr. MCCARTHY wrote Mr. WATKINS.

Earlier, Mr. MCCARTHY told reporters he would ask other members of his own investigating subcommittee permission to "clean up our work before the first of the year."

He will lose the chairmanship of the group to Senator JOHN L. MCCLELLAN, Democrat, of Arkansas, in January, provided the present razor-thin Democratic control is not upset by a recount in Oregon.

"If it appears that the censure debate is going to run a long time," Mr. MCCARTHY said, "I might even take up the question of holding hearings in the forenoon—that is, before the Senate meets each day."

"If it appears that it [the debate] will be over before long, I might suggest waiting until the November 8 lynch party is over," he added.

Mr. MCCARTHY also said he planned to send a new letter to the Secretary of the Army, Robert T. Stevens, repeating his request for the name of the person responsible for pro-

moting and discharging former Maj. Irving Peress.

**"THEY'VE GOT SECRET MASTER"**

He described as "gobbledegook" the Army's statement last night explaining the handling of the case. Dr. Peress is a former New York Army dentist labeled by Mr. MCCARTHY as a "fifth amendment Communist."

After reading the Army statement, Mr. MCCARTHY commented that "they've got some secret master they're protecting in the Pentagon."

Meanwhile, the Army disclosed with some embarrassment today that Maj. John J. McManus, who actually had signed Dr. Peress' discharge papers, had been separated from the service.

Many officials were disturbed because of the timing of the discharge and their release of the Peress report. They insisted Major McManus' separation was "pure coincidence" and "in no way connected with the Peress case."

Dr. Peress' commanding officer at the time of the promotion and discharge was Brig. Gen. Ralph Zwicker. The Army said the promotion was carried out by Maj. Gen. William E. Bergin, Army Adjutant General, in accordance with a law providing for all drafted doctors to be raised to rank "commensurate" with their professional background.

In a letter to Mr. MCCARTHY released yesterday, Mr. Stevens said no action had been taken against Major McManus, General Zwicker, or General Bergin because there was not "the slightest indication of Communist sympathy nor any other dereliction of duty."

Mr. MCCARTHY said Mr. Stevens' letter "isn't even a clever attempt to hide this secret master—who is he?" He said the Army explanation "doesn't answer the question at all."

Mr. BENNETT. Mr. President, the next phrase is "lynch bee." That expression was used in a television broadcast known as Face the Nation, presented on November 7, 1954, with Senator JOE MCCARTHY as the guest.

I hold in my hand a portion of the transcript of that statement, the portion which includes every reference to the phrase "lynch bee." This transcript was made by Mr. Jesse L. Ward, Jr., of Ward & Paul, who operate the shorthand reporters' service which is used very frequently here on Capitol Hill.

I ask unanimous consent to have that document printed in the RECORD at this point.

There being no objection, the document was ordered to be printed in the RECORD, as follows:

#### FACE THE NATION

(A presentation of the Columbia Broadcasting System television and radio networks from Washington)

Guest: Senator JOSEPH MCCARTHY, Republican, of Wisconsin.

Moderator: Tep Koop, director of public affairs, CBS, Washington.

Panelists: William Hines, Jr., Sunday editor, Washington Star; William Lawrence, Washington correspondent, New York Times.

Mr. LAWRENCE. Now, carrying it a step further, you issued an open invitation during the Army-McCarthy hearings for people to continue to supply you with information—

Senator MCCARTHY. That's right.

Mr. LAWRENCE (continuing). Regardless of its stamping.

Are you getting new information from people in this administration?

Senator MCCARTHY. Bill, let me—

Mr. LAWRENCE. On that basis?

Senator MCCARTHY. Let me change your question a bit. I invited them to give information of wrongdoing, graft, corruption, communism; I am continuing to get that information.

Mr. LAWRENCE. Getting documents, too?

Senator MCCARTHY. Yes.

Mr. HINES. Are you getting any more as the result of your appeals, than you got beforehand? Has there been a flow built up as a result of that?

Senator MCCARTHY. It's pretty hard to say whether it has increased or decreased. I've been so busy being investigated and preparing for this "lynch bee" starting tomorrow that I haven't had an opportunity to—

Mr. LAWRENCE. Do you call a meeting of the United States Senate a "lynch bee"?

Senator MCCARTHY. Well, let's call it the censure—

Mr. LAWRENCE. No; but I am interested in this because the Senate is an institution of government; it's part of the Congress.

Senator MCCARTHY. Let's answer it—

Mr. LAWRENCE. Are you calling the Senate a lynch—

Senator MCCARTHY. Let's answer it, Bill.

Mr. LAWRENCE. Let's do.

Senator MCCARTHY. There are a great number of the Democrats who have indicated, in private conversations, that they will censure MCCARTHY, not because of what is in the Watkins reports but because I have labeled them as the party of communism, even though I have always pointed out that there are million of Democrats who are good, loyal Americans, and many officeholders here in Washington who are anti-Communists, but there are those that feel that they should censure me, not for—not because I cross-examined Zwicker trying to find out about a Communist whom he promoted, honorably discharged; there are some Republicans who feel likewise.

Now, I consider that—yes; that's a lynching bee.

Mr. HINES. But this is an orderly assembly—

Senator MCCARTHY. When they are not basing their vote upon the—counts set forth, when they base their vote upon political reasons, when they say ahead of time, in effect: "Regardless of what the evidence says, this man has been fighting communism, he has been showing that over 20 years the Democrat Party has been infiltrated, therefore we are going to get him."

Mr. LAWRENCE. Well, now, Senator—

Senator MCCARTHY. I think "a lynching bee" is a good name for it, Bill.

Mr. LAWRENCE. Senator, the Republican leadership of the Senate will support this motion of censure, as well. Now, are they doing it because you called—

Senator MCCARTHY. You are making a pretty rash statement.

Mr. LAWRENCE. Well, I have no hesitancy about making it, but, to continue with the point—

Senator MCCARTHY. I disagree; I don't think they will.

Mr. LAWRENCE. You don't think they will? Senator MCCARTHY. No.

Mr. LAWRENCE. You don't think that KNOWLAND will vote to censure you? You don't think—

Senator MCCARTHY. I don't think the Republican leadership is going to go along with this. I hope not.

Mr. BENNETT. Mr. President, finally, I hold in my hand the story that appeared in the New York Times of November 14, 1954. The story was written by Mr. Fred Parker, of the Milwaukee Bureau of the United Press. I ask unanimous consent to have the news article printed in the RECORD at this point as evidence of the fact that those statements were actually made.



There being no objection, the news article was ordered to be printed in the RECORD, as follows:

**MCCARTHY LABELS WATKINS COWARD—IN MILWAUKEE FOR FETE, HE JIBES AT CENSURE UNIT HEAD FOR SILENCE ON QUERIES**

MILWAUKEE, Wis., November 13.—Senator JOSEPH R. MCCARTHY today accused Senator ARTHUR WATKINS, Republican, of Utah, of the "most unusual, most cowardly thing I've heard of" in saying he would answer no future oral questions by Mr. MCCARTHY or any other Senator.

"If a man is chairman of a committee [the censure panel], he should be willing to answer for errors in his report," Mr. MCCARTHY said. "Otherwise he is miserably failing his duty as chairman."

"It's the most cowardly, most unheard of thing I've heard of so far," Mr. MCCARTHY said.

"I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement," he asserted.

Mr. WATKINS had said he would not interrupt his speeches to answer oral questions and only questions submitted in writing or posed in speeches by other Senators would be answered.

"I can't use the gavel [to silence MCCARTHY as he did in the censure committee hearings] but I can determine how I extend courtesies," Senator WATKINS said in Washington.

#### WATKINS MAKES A REPLY

Tonight, in Washington, Mr. WATKINS said in reply to Senator MCCARTHY's remarks that "I am not going to follow him around and reply to everything he says."

"My statement is self-explanatory. It is based on the rules of the Senate and I am going to follow them."

Mr. WATKINS referred to Senator MCCARTHY's interruptions during his (Senator WATKINS') speech on the censure recommendation to yield for a question. This interrupted Mr. WATKINS' speech many times.

Finally, Senator WATKINS announced that he would answer questions if they were submitted in advance so that his remarks would not be interrupted. He said he would follow Senate rules of courtesy in this regard.

"If I were to do what WATKINS is doing," Senator MCCARTHY said, "and someone proposed a censure, I would say 'rightly so.'"

Senator MCCARTHY said he had no comment on the statement by Senator FRANCIS CASE, Republican, of South Dakota, who was on the Watkins committee which drew up the censure charges against Mr. MCCARTHY. Mr. CASE said he would support a substitute course of action.

Senator MCCARTHY reiterated that he knew there were enough votes to censure him and he wanted to get it over with so he could get back to the work of investigating Communists.

"There are considerably in excess of 25 individuals who appear to be clearly Communists working in defense plants, handling classified material up to top secret," he said.

Mr. MCCARTHY declared, too, he had sent to Mr. WATKINS a telegram asking him to appear before the McCarthy subcommittee at 9 p. m. Monday to give any information he had about the case of former Maj. Irving Peress.

"I doubt if he has any," Mr. MCCARTHY said.

"I don't want to be investigated again. I would have to quit investigating Communists," he said. "I don't intend to quit, so there'll be a sixth, seventh, and so forth, investigation. This is the fifth."

He listed the four previous investigations as those by the Tydings committee, the one into the Maryland election, the De Witt investigation, and the Stevens-McCarthy hearing.

"None of these would have been held if I hadn't been exposing Communists," he said.

Mr. MCCARTHY pinned the Republican's loss of the election on mishandling of the farm situation and "the jungle warfare our own party has been waging against those of us who have been exposing Communists. \* \* \*

#### DINNER FOR BIRTHDAY

The Wisconsin Republican was the guest tonight at a testimonial dinner in honor of his birthday, which is tomorrow. A crowd of about 1,300 was expected to attend.

Senator BARRY GOLDWATER, Republican, of Arizona, was to speak over a network of 13 Wisconsin radio stations. Mr. MCCARTHY himself was to make a brief address on the same program.

Senator MCCARTHY said he would not apologize for remarks he made about Senator ROBERT C. HENDRICKSON, Republican, of New Jersey, so the Senate might as well censure him.

He declared there was no doubt that there were enough votes against him to evoke censure. He said he wanted to "get it over with" so he could get back to the job of hunting out Communists.

When asked what sort of compromise Senator EVERETT DIRKSEN, Republican, of Illinois, had in mind as an alternative to censure Mr. MCCARTHY said he did not know.

"Ev's got something he's working on, but I have been so busy I don't know what they're doing," Senator MCCARTHY said.

He added he doubted that a vote for censure would affect his chances of reelection in 1958.

"I think the people know I wouldn't be up for censure if I hadn't been fighting communism," he observed.

Senator MCCARTHY said his subcommittee might "work through the Christmas holidays on Communists in defense plants," and that there had been deliberate attempts to keep the subcommittee from exposing Communists for many months.

Mr. BENNETT. Mr. President, I yield back the remainder of my time, and withdraw my motion.

The VICE PRESIDENT. The motion cannot be withdrawn, since the yeas and nays have been ordered.

Mr. DIRKSEN. Mr. President, I rise in opposition to the motion, unless another Senator controls the time.

The VICE PRESIDENT. The senior Senator from Utah controls the time.

Mr. WATKINS. Mr. President, I am opposed to the motion.

Mr. DIRKSEN. I need only 2 or 3 minutes.

Mr. WATKINS. I yield 2 minutes to the Senator from Illinois.

Mr. DIRKSEN. Mr. President, I should like to have the attention of the junior Senator from Texas. I address my remarks to the Chair, to the attention of the Parliamentarian, and to the junior Senator from Texas.

I respectfully inquire, Mr. President, whether or not either the amendment offered by the distinguished senior Senator from Colorado or the alternative language submitted by the junior Senator from Texas would be in order if at the end of the language we were to strike out the period at the end of line 9, insert a comma, and then add:

And that the efforts of the junior Senator from Wisconsin, Senator MCCARTHY, in exposing the menace of communism are hereby commended.

Mr. CASE. Mr. President, I move to lay on the table the motion offered by the junior Senator from Utah.

Mr. DIRKSEN. Mr. President, I have the floor. I very respectfully ask a ruling from the Chair.

The VICE PRESIDENT. The ruling of the Chair is that the amendment as modified by the Senator from Illinois would not be germane.

Mr. DIRKSEN. Would not be germane.

Mr. CASE. Mr. President, I move to lay on the table the motion to recommit, offered by the junior Senator from Utah, and I waive and yield back all my remaining time.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from South Dakota.

Mr. BRIDGES. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRIDGES. The yeas and nays had been ordered on the motion prior to the time the motion was made. Is a motion to table in order after the yeas and nays have been ordered?

The VICE PRESIDENT. A motion to table is in order prior to the rollcall.

Mr. BRIDGES. Even after the yeas and nays have been ordered?

The VICE PRESIDENT. Even after the yeas and nays have been ordered; that is correct.

Mr. KNOWLAND. Mr. President, in order that the Senate may finally complete its business, I wonder if we could not get unanimous consent—and it could be done only by unanimous consent—that the order for the yeas and nays be withdrawn. Then the Senator from Utah could withdraw his motion to recommit, and the Senate could then vote on the pending resolution finally, on which, of course, I would want the yeas and nays.

The VICE PRESIDENT. Is there objection?

Mr. MORSE. Mr. President, reserving the right to object, I do not see the Senator from Indiana [Mr. JENNER] on the floor, and I do not believe, in view of his previous objection, it would be fair to enter into a unanimous-consent agreement without his being present.

Mr. WELKER. Mr. President, I object.

The VICE PRESIDENT. Objection is heard. The question now is on agreeing to the motion of the Senator from South Dakota to lay on the table the motion of the junior Senator from Utah that the pending resolution be recommitted.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. Is the vote now to be taken on the question of final adoption of the resolution, as amended?

The VICE PRESIDENT. The resolution is open to further amendment. If there be no further amendment to be proposed, the question now is on adoption of the resolution, as amended.

Mr. KNOWLAND. Mr. President, on this question, I ask for the yeas and nays. The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. HICKENLOOPER. Mr. President, what is the situation in regard to debate on the question of final adoption of the resolution, as amended? Is there a limitation on the time?

The VICE PRESIDENT. Under the unanimous-consent agreement, no time is left for debate on the resolution. The unanimous-consent agreement provides for time for debate on amendments or motions or substitutes.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. Does a failure of the agreement to mention a limitation on the time for debate on the question of final adoption of the resolution, as amended, necessarily indicate that there is a limitation on the time available for debate on the question of final adoption of the resolution, as amended?

The VICE PRESIDENT. The unanimous-consent agreement sets forth the specific limitations as to the time.

Mr. KNOWLAND. Mr. President, in order that we may not again become involved in a prolonged discussion, with amendments being submitted—because I think all Senators, regardless of differences of opinion on this matter, are desirous of having it come to a conclusion—may not we be able to agree that there may be one-half an hour for each side for debate on the question of final adoption of the resolution, as amended?

SEVERAL SENATORS. I object.

The VICE PRESIDENT. Objection is heard.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. I did not intend to raise this issue at this particular moment, because inquiry earlier this afternoon informed several of us that there was no limitation on debate on the question of final adoption of the resolution, as amended. I myself did not inquire at the desk, of the Parliamentarian; but I relied upon inquiries made by other Senators of those whom I thought had accurate information on that subject. I assumed there was no limitation on debate on the question of final adoption of the resolution, as amended.

I did not intend to discuss the matter at length, but there are some things I intended to say, and I would just as soon say them on the question of final adoption of the resolution, as amended.

Do I correctly understand that the Chair's ruling now is that no time is available for debate, after the resolution has been perfected? Is it the ruling of the Chair that at this time no time is available for debate on the resolution, as it is perfected?

The VICE PRESIDENT. The Chair is bound, in its ruling, as is the Senate, by the unanimous-consent agreement, which does not provide time for debate on the resolution, as amended.

Mr. HICKENLOOPER. Mr. President, a further parliamentary inquiry.

The VICE PRESIDENT. The Senator from Iowa will state it.

Mr. HICKENLOOPER. By the same token, the unanimous-consent agreement does not limit the time; it is silent on the question of time, as I understand.

The VICE PRESIDENT. The unanimous consent agreement does specifically limit the time the Senate may spend on the resolution—on amendments, motions, and substitutes. It does not allow any time on the question of final adoption of the resolution, as amended.

The Chair will also inform the Senator from Iowa that in discussing this matter with the Parliamentarian, the Chair is informed that in other circumstances the Senate enters into unanimous-consent agreements which provide specifically for debate on the question of final passage or final adoption. However, no such time limitation is contained in the present unanimous-consent agreement. Therefore, by implication, no such time can be allowed.

Mr. HICKENLOOPER. Mr. President, at this time I am prepared, if I have to do so, to send to the desk a complete substitute for the entire resolution, in order to obtain some time in which to address myself to it. If some Senator wishes me to request the yeas and nays on that question, that will be perfectly satisfactory to me, also.

The VICE PRESIDENT. A Senator has a right to submit a substitute at any time.

Mr. HICKENLOOPER. However, Mr. President, my chief purpose is to have approximately 20 minutes—and perhaps I shall need only 12—in which to present some facts and some history regarding this very tense and controversial issue.

Therefore, I would ask that I be given not to exceed 20 minutes to discuss this matter. It is immaterial to me whether unanimous consent is given, because I am prepared to submit a substitute, in order to gain that much time.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from California will state it.

Mr. KNOWLAND. If the Senator from Iowa will yield to me for a moment, I wish to say I would certainly like to see the Senator from Iowa have the time he desires to have.

I now renew my request that, on the question of final adoption of the resolution, there may be 1 hour of general debate, to be divided equally between the two sides.

The VICE PRESIDENT. Is there objection to the request of the Senator from California? The Chair hears none; and it is so ordered.

Mr. KNOWLAND. Now, Mr. President, I yield 20 minutes to the Senator from Iowa.

The VICE PRESIDENT. The Senator from Iowa is recognized for 20 minutes.

Mr. HICKENLOOPER. Mr. President, because I have had some experience, beginning with the inception of this very difficult and unfortunate controversy, I would not feel that I had conducted myself properly unless, prior to the final vote on the question of the adoption of

the resolution, I took steps to make the record somewhat accurate by the recitation of some historical facts.

Without going into detail, or laboring the point, I now call the attention of the Senate to the fact that the entire argument about the junior Senator from Wisconsin [Mr. McCARTHY] had its inception back in about 1950, when he made certain allegations about the infiltration of subversive elements into the State Department of the United States Government. Of course, there went up from Government propaganda agencies, and so forth, a hue and cry that he was a heinous fellow, that he was "off his rocker," that he was looking for publicity, and similar statements.

Later, the junior Senator from Wisconsin, after his first address on that subject, made a speech lasting almost 2 days; and he delivered that speech from his desk on the right hand side of this Chamber. In the course of that speech he said he had a number of cases of subversives and alleged subversives who had infiltrated the State Department of this Government. He said he had them characterized or listed by the letters "A, B, C, D," and so forth.

During his 2-day speech, a number of Senators on the Democratic side of the aisle rose repeatedly, and demanded that he name those whom he was accusing of being subversives. The junior Senator from Wisconsin stood here for 2 days—as Senators will see if they will take the time to read the RECORD—and during those 2 days said he did not intend to name names in public, would not do so, either under the immunity accorded a speech delivered on the floor of the Senate, or otherwise; but he said that if a special committee were created and were charged with the duty of investigating the possibility of subversive infiltration into the State Department, he would turn over to the committee, in secret, the list of names and the information he had on those names, and then that committee could go further in its investigation. But, notwithstanding the great insistence of Democratic Senators who demanded that he name names, he refused, to do so. I heard that speech. My interest in it eventually became intimate, because in response to that suggestion the Senate established a subcommittee of the Foreign Relations Committee charged with the duty of investigating the alleged infiltration of subversive influences into the State Department.

Bear in mind, there is not a word in that resolution saying that that subcommittee was to investigate the junior Senator from Wisconsin. The subcommittee which was established was called the Tydings subcommittee. It happened to fall to my unfortunate lot to be a minority member of that subcommittee. The then Senator Henry Cabot Lodge of Massachusetts was the other minority member. Senator Tydings, of Maryland, was the chairman of the subcommittee. The late Senator McMahon, whose untimely death we all regret, was a member of that subcommittee, and the Senator from Rhode Island [Mr. GREEN] was the third majority member of that committee.



I am now repeating nothing that was not placed in the RECORD 4 years ago. At the very first executive or organizational meeting of that subcommittee Senator Lodge, of Massachusetts, and I moved that the meetings be held in secret at first, that the junior Senator from Wisconsin be asked to come before us and give us the names, and whatever other information he had, and that we then proceed.

The three majority members immediately voted that suggestion down. They said, "No; we will hold no secret meetings." Senator Lodge and I argued that that was what was suggested by the junior Senator from Wisconsin, to prevent making public the names of those whom he suspected, or might secretly charge with being subversive in their interests. The majority of the subcommittee voted us down, with the statement, "We will hold public meetings. We will get the Senator from Wisconsin before the committee in public. We will subpoena him. We will put him under oath, and we will make him name names in public."

That is exactly what was done, as shown by the record.

For a long time the majority of that subcommittee refused to allow the minority members to participate in the selection of counsel; and when they did allow us to employ counsel, that counsel was on a number of occasions excluded from the meetings of the subcommittee, and the counsel of the majority was included. On one occasion Mr. Owen Latimore, who came in for a considerable amount of investigation, was permitted to remain in an executive committee meeting, and counsel for the minority was ordered to absent himself from that meeting.

The committee continued to function for several weeks. The Senator from Idaho [Mr. WELKER] can issue one of his mimeographed censure resolutions against me if he so desires, for what I am about to say. I say it because I said it in 1950 on this floor. No genuine effort was ever made by that subcommittee to investigate the matters it was charged by the Senate with investigating. In my judgment the sole purpose of the subcommittee, and the net result of its work, was an attempt to pillory the junior Senator from Wisconsin. He was on trial from the first meeting of that subcommittee until the report of the full committee was filed. It was a report filed without authority of the subcommittee. It was filed as a report of the Senate Foreign Relations Committee, when the Senate Foreign Relations Committee had never passed upon it or authorized it.

The report was unauthorized, but it was nevertheless drafted and given to the press by the majority of the full committee before the two minority members of the subcommittee, Senator Lodge, of Massachusetts, and I, had ever seen it, and before we knew it had been printed.

When the transcript of the record before that subcommittee was placed in the CONGRESSIONAL RECORD, 35 pages of damaging testimony, showing matters adverse to the conduct of the subcom-

mittee, were strangely eliminated from the report.

I will now say something that I have never said before. The records are downstairs, on the next floor below. One of the citations for contempt against a witness before the subcommittee, and one of the citations for contempt reported by the subcommittee to the Foreign Relations Committee, were materially and substantially altered in verbiage and sent to the floor of the Senate, after they had been authorized by the Foreign Relations Committee.

I know something about the history of the hue and cry which started with the trial and attempted conviction of the junior Senator from Wisconsin in the early days, when he started to alert the people of the country to the evils of communism and its infiltration into Government.

I do not stand here as a defender of the verbiage chosen by the junior Senator from Wisconsin. Of course, semantics is an art. The choice of words which I might use might be crude indeed. The choice of words which my neighbor and friend might use in attempting to say the same things might be artful, clever, and soft.

Yesterday on the floor of the Senate I said something to the effect that if one undertakes to deal a death blow to a man, or murder him, it makes no difference, in the long run, whether he cuts his throat with a razor or chops off his head with a meat ax. He is just as dead, regardless of the delicacy or finesse of the slayer. The same thing is true of the semantics which one person might be able to choose, as compared with the rougher or more blunt words which another might use. I have seen Members of the Senate not only stand on the floor of the Senate and speak, but by artful movements of the head, by gestures with the hands, by shrugs of the shoulders, or by a snarling voice, convey the most devastating ridicule and contempt of their fellow Senators. Yet when one reads the RECORD it does not show the lifted eyebrow, the curled lip, the shrug of the shoulders, or the contemptuous looks.

As I stated yesterday, I have seen witnesses abused in committees on which I have served, to the point where members of the committee have remonstrated with the colleague who they thought was abusing a witness. Yet no censure resolution has ever been filed in such a case.

I deplore such abuse. I can say that I disagree with the choice of words, and with some of the rather flailing tactics which I think the junior Senator from Wisconsin has used on certain occasions. I can understand that anyone with his back to the wall, and with the pack almost at his throat, may strike out, in emotion, with almost any weapon available to him. Nevertheless, I am not praising the use of certain words.

In my statement yesterday I said that there is no more honorable man sitting in the United States Senate at present, and no more honorable man ever sat in the United States Senate, than ARTHUR WATKINS, the Senator from Utah. I do not criticize him in the least. There is

no more high class committee than the select committee, so far as concerns the respect of Members of the Senate. No finer committee could be chosen.

The Senator from New Jersey [Mr. HENDRICKSON] is an intimate friend of mine, with whom I have had a great deal of association. I love and respect him sincerely, as I do other Members.

I am not reflecting upon the sincerity of purpose or the good intentions of honorable Members of the Senate. Nor am I saying that the junior Senator from Wisconsin has always been most delicate and artful. But I am saying, as I said in my statement yesterday, that such things—and worse—have been done before, and yet we have not censured the Senators involved. I have said many bitter things, which I think are true, about the failure of the Tydings subcommittee to perform the mandate which the Senate gave it.

In July 1950 I said more critical things, I believe, about the failure of that subcommittee to do the job for which it was established, than the junior Senator from Wisconsin has said about either the select committee or the Gillette subcommittee. I do not believe that I used quite the words he employed, but I meant to say that the subcommittee, of which I was a member, failed utterly to do its duty. It failed to meet the responsibility which the Senate had given it.

Am I to be censured?

I wish to refer to a few things I said in my statement of yesterday. The junior Senator from Wisconsin is an incident. He has his defenders and he has his condemners. When I read the charges enumerated by the Senator from Vermont [Mr. FLANDERS] I found heinous acts charged against the Senator from Wisconsin, which were discarded by the select committee. They were charges which, in my opinion, constituted far more drastic criticism of an individual Senator than any remarks the junior Senator from Wisconsin has made about other Senators. I say again I do not approve of what he said about other Senators.

In the charges which the Senator from Arkansas [Mr. FULBRIGHT] filed against the junior Senator from Wisconsin, I find at least one charge which I interpret to be a charge that the junior Senator from Wisconsin is corrupt financially and dishonest morally. That charge was discarded by the select committee. I would not vote to censure the Senator from Arkansas or the Senator from Vermont, because I do not believe that is the way to approach the subject.

The Senate is indeed a deliberative body. If the junior Senator from Wisconsin has transgressed in his verbiage what I might believe to be propriety, I have a right to disagree with him, and to personally criticize him. However, there is a difference between personal criticism and the official stamp of odium put on him by the Senate of the United States.

Never before in our history has the Senate attempted to so circumscribe the freedom of expression within the conscience of an individual. It has never tried to do so.

I am neither condemning nor defending JOE MCCARTHY at this point. I am talking about a principle which is much more fundamental than JOE MCCARTHY. I grieve that words have been used with which I disagree.

Mr. President, I can criticize the junior Senator from Wisconsin for his wrong use of words. However, there is a big difference between my violently disagreeing with his choice of expression and my putting an official stamp of opprobrium on him as a public servant for words he has used in times of stress while representing his constituents in Wisconsin and the people of the United States to the best of his ability and along the lines he believes are most effective in the public interest.

Mr. President, I said yesterday in my statement, and I wish to repeat today, that this whole matter of setting up a lexicon of terms—and it may be that tomorrow—is the first step toward the censorship of expressed thoughts as well as the circumscription of words to be used, the method of expression, and the manner in which an independent and free Senator of the United States shall set forth his views on subjects of debate. The Chinese have an old proverb which says that a journey of a thousand miles begins with the first step.

How many Senators have not said, on campaign platforms, bitter things about their opponents or about those who opposed them? How many Senators in the Chamber can cast the first stone when it comes to the question of the use of improper or unduly harsh terms in the heat of campaigns or otherwise?

How many Senators, when they are fighting for their political life, have not perhaps been indiscreet so far as the lexicon of the parlor is concerned?

No; I do not agree with the selection of words by the junior Senator from Wisconsin. I regret that the junior Senator from Wisconsin has said certain things about Members of the Senate whom I respect very highly, and I take no stock in what he has said in that regard.

However, yesterday I tried to sum up what we are doing in putting the official stamp of condemnation on a Senator. It is not MCCARTHY with whom we are concerned here, although, as I said in my statement, when the Senate votes to censure him, joy and hallelujahs will be sung in every Communist den in the United States and in the world. Good people oppose Senator MCCARTHY. It is true that people who are not Communists oppose MCCARTHY. Nevertheless, there is something greater than the hate or the dislike or the disapproval of the junior Senator from Wisconsin for some things he may have inadvertently said in the heat of passion or emotion. There is something deeper than that.

We are beginning a censorship over the choice of words which a Senator may use. We are beginning to make up an official lexicon of verbiage and to set forth the terms which are available to a Senator in expressing himself in the interest of his constituency and the people of the Nation.

I said yesterday:

This raises the question, of course, as to whether or not a lexicon of words of pro-

priety is to be adopted by the Senate within the limitation of which each Member must carefully confine himself, else he be officially censured because either through inadvertency or emotion, which is only a part of human reaction, he oversteps the line of official propriety of the moment. It raises the question of whether or not Senators will be circumscribed in their individual right and conscience to criticize people and practices in what they believe to be the public interest. It raises the question of whether or not Senators will be circumscribed and limited in their right and freedom to discuss the conduct and attitude of foreign nations toward this country, else they be censured by those who may disagree with them, or who may consider their language untimely or ill chosen. It raises the question of the meaning of the constitutional protection, which says that for words spoken on the floor of the United States Senate, the Member shall not be questioned in any other place. It raises the whole question of what freedom will remain to a Member of the Senate to express his views on matters which he in conscience believes to be affecting the public interest of his country or of his constituents. It raises the ominous cloud of censure over a body and its membership, which, up until now has retained the strength of freedom in debate and latitude in investigation. It raises the question of whether censure in this case would put the stamp of approval upon defiance of a lawfully constituted committee of this body by servants of or by a department of the Government.

Serious questions are raised in this controversy. I can brush MCCARTHY aside, not in contempt, but because MCCARTHY is not necessarily the primary issue. Perhaps the dislike for MCCARTHY and perhaps the emotional feeling toward MCCARTHY are overriding the real purpose. However, once such a movement as this is started in this last great free forum of the world, there will be no turning back on that road.

Every subversive element in this country would like to see free discussion choked off in the Senate of the United States. I do not say that the resolution of censure will automatically in and of itself completely clamp down censorship. I do not say that. But I do say that a journey of a thousand miles starts with the first step. We are taking that step, because we are censuring, not MCCARTHY, but a Senator for using words which we do not like.

Again, I say, Mr. President, that I have heard the most brutal attacks made on people in nicer words than those which have been complained of. I have heard them repeatedly. I used to know a man who could not talk without swearing every other word. Because of habit he swore in the parlor, in the church, and in the Sunday school. He was a pretty decent fellow. He contributed more to the church than did most of the other parishoners. I would take his word rather than his bond, any day. But he had the habit of profanity, which was ingrained in him as deeply as was his ability to speak. My father did not have that kind of vocabulary, but this man applied for a job and got it. He could express himself. The choice of words is an art. Who are we to say that the choice of words by the Senator from California is all right, but the choice of words by the Senator from Iowa is all

wrong, if we both, in the long run, say the same thing?

JOE MCCARTHY—I think I violated the rules of the Senate when I said "MCCARTHY"; I should have referred to him as the junior Senator from Wisconsin—the junior Senator from Wisconsin may have chosen words that other Senators would not have chosen. I think most of us would not have chosen them. He was under stress, he was under emotion; there is no question about that. I decry the words; I regret them. I believe he regrets that choice of words. I believe he has proffered an apology for his impulsiveness, if that is what we want to call it. But I say the Senate is taking a step today which many Members may live to regret and which may rise up to smite some of those who follow us.

Mr. President, I do not think votes will be cast on the floor of the Senate today through venom. No; I do not think that. But I do say that if there are any venomous votes cast, those votes will return to plague the casters. If any votes are cast in emotion today I am afraid they will return to plague those who cast them. I think we should take an open view of the question. If we, individually, want to tell the junior Senator from Wisconsin that he made a mistake, we should tell him, but not with the official stamp, the red seal, indicating for all time that we are beginning to circumscribe, to delimit the words which a Senator may choose.

Mr. President, this is an important, serious, and vital decision which the Senate has to make. I shall vote neither for nor against the junior Senator from Wisconsin. I shall attempt to vote for a principle which I think is in danger of being partially destroyed. I shall vote, as I have voted heretofore, not in favor of anyone, but against the procedure. I shall vote against the resolution not because of the verbiage which is contained in it, but because of what I think a censure resolution of this kind will do to the great freedoms of the Senate of the United States and the repercussions it will have on our free system. That is my position today.

I could not let the resolution come to a final vote without further explaining my position and spreading it upon the RECORD.

Mr. MUNDT. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. MUNDT. I think the approach of the Senator from Iowa to the problem has been very sound and dispassionate, and I think he has rendered the country a great service in trying to depersonalize the issues and to bring the discussion back to historic facts and fundamental principles. I congratulate him.

I wonder if the Senator shares with me my disturbance with reference to the second count which is now before us, because, if I understand correctly, we have now taken all reference to General Zwicker entirely out of the resolution. The select committee brought in the original second count against the junior Senator from Wisconsin on the basis of the General Zwicker incident and with the full vote of the select committee except for one member who voted



"present." They have now retreated entirely from their position on the Zwicker count and substituted the Bennett proposal. They have also now eliminated all reference to the term "censure" as it appeared frequently in their original resolution.

The second count now deals with words used by the junior Senator from Wisconsin on the radio and on television and in a press conference. I know the Senator from Iowa must realize, as I do, how easy it is to slip and stumble and make errors in statements in front of a radio microphone or the TV cameras. Will the Senator comment on the dangers which we would face if we would establish the precedent of censuring or condemning the junior Senator from Wisconsin or any Senator without even a committee hearing because of a slip of the tongue or the use of unfortunate language uttered under the stress and strain of a radio or TV interview? What might such a precedent do to free speech and free conscience in the United States Senate?

The PRESIDING OFFICER. The Chair is compelled to announce that the Senator's time is now completely consumed.

Mr. HICKENLOOPER. Mr. President, I did not want to trespass on the time of the Senate; I did not want to use any subterfuge to get time, and I appreciate the indulgence of the Senate in granting me time.

Mr. KNOWLAND. Mr. President, I yield 1 minute in order that the Senator from Iowa may reply to the Senator from South Dakota.

Mr. HICKENLOOPER. I understood when the recommendations came from the select committee that the Zwicker incident was one of the fundamental principles in this matter. It now seems to be discarded like an old shoe. General Zwicker is no more one of the principals in this case. General Zwicker is no more the maligned and abused human being we were led to believe he was. Because of expediency or otherwise, he has gone out the window; he has disappeared into thin air. I am glad to see that issue removed.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KNOWLAND. Mr. President, I yield back the remainder of my time.

Mr. JOHNSON of Texas. Mr. President, do I correctly understand that each side was granted 30 minutes?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. And that the time of the majority has already been consumed?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. And that if the minority leader would yield back his 30 minutes and not use it, we could then proceed to vote on the resolution, as amended, without further debate?

The PRESIDING OFFICER. That is correct.

Mr. JOHNSON of Texas. Mr. President, I yield back my time.

Mr. BRIDGES. Mr. President, will the Senator yield to me in order that I may have placed in the body of the RECORD

a statement without taking up the time of the Senate to read it?

Mr. JOHNSON of Texas. I yield for that purpose.

Mr. BRIDGES. Mr. President, I ask unanimous consent to have placed in the body of the RECORD a speech which I have prepared on the censure recommendations.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH PREPARED BY SENATOR BRIDGES ON  
WATKINS COMMITTEE CENSURE RECOMMENDATIONS

I want to address my remarks to the whole problem of censure from the standpoint of State sovereignty and historical precedent and by analyzing the full import of censure as affecting freedom of debate and the future effectiveness of the United States Senate and its investigating committees.

To my mind, the matter of censuring a colleague entails the consideration of these deeper problems so that we do not find that in the heat of emotionalism over individuals we have established new precedents that will prove to be embarrassing and unduly restrictive in the future. Even in the most favorable atmosphere of complete judicial detachment in our courts of law we find on occasion that decisions have been made in regard to current expediency and in response to the passions of the times rather than on sound development of existing theories of law. Fortunately, these occasions are rare in judicial decisions and they are soon set to right when calmer heads prevail.

From these lessons, however, we can learn much which should guide us in our consideration of the matter before us, and the analogy is most apt because the broader aspects of the instant censure proceedings call for a quasi-judicial approach as the questions open for debate are involved in the legalities of interpretation of our Federal Constitution and the Rules of Procedure of this body.

There have been, and will be, remarks made by my colleagues trained in the field of law which will go into these matters with thoroughness and detail as befits their training. I, as a layman in the field of law, would not attempt to indulge in the intricacies of legal debate, but I think that the matters we must consider, although legal in nature, are so founded in American ideas of fair play that no particular legal background is necessary. Indeed, our greatest constitutional lawyers have well said that the body of the law is no more than the enunciation of the public concept of fairness and justice as applied to a particular situation.

As the senior Member of my colleagues on this side of the aisle, and one of the senior Members of this whole body, I have seen many characters cross the stage of this great debating and legislating society of which we are Members. The characters are more varied than those in any play ever written, because they represent the diverse individualities of every nook and corner of this great land of ours. But they have one common denominator, that of serving their constituents and their country in accordance with their best judgment. That is not only their privilege but the right of their respective States as guaranteed under our Constitution.

In the matter of representation in the Senate of the United States, is preserved the principle of State sovereignty which was so fiercely debated and so forcefully insisted upon in the Constitutional Convention which produced the document which has been described as the greatest document ever conceived and produced by the mind of man at one sitting and at one time.

In the fierce debate between the Nationalists and Federalists, Johnson of Connecticut

proposed the great compromise of a representation of the people in one branch of the legislature and the States in the other, and at the close of his debate, he said: "It is agreed on all hands, that a portion of government is to be left to the States. How can this be done? It can be done by joining the States in their legislative capacity with the right of appointing the second branch of the legislature to represent the States individually."

Thus the question was solved with the solution that the sovereign States should each have direct representation in the national legislature, to wit the United States Senate, and this right was safeguarded by article V of the Constitution in the following words: "And that no State without its consent shall be deprived of its equal suffrage in the Senate." Indeed it is most significant that this is the only part of the Constitution which cannot be amended. Although the method of selecting these United States Senators—direct representatives of the sovereign States—can and has been amended by the 17th amendment from election by the legislature to election by the people.

Since the members of the United States Senate are the final repository and the custodians of State sovereignty in our national Government, it is indeed a most solemn duty that we have and it is with the utmost caution that we should act in any way to restrict or limit the activities of a fellow Member, because we are in effect tampering with the sovereignty of his State in so doing.

As in all organizations it is necessary to have certain rules of procedure in order to provide for the best functioning and carrying out of the duties of the Congress. And in that regard certain rules governing the United States Senate were set forth in the Constitution—article I, section 5, clause 2 of the Constitution provides: "Each House may determine the rules of its proceedings, punish its Members for disorderly behavior, and, with the concurrence of two-thirds, expel a Member."

This was a necessary and proper rule but it is one which to my mind should not be interpreted any broader than its own clear and definite language. The propriety of this rule rests on the fact that the direct representatives of the sovereignty of one State should not act in such a way as to interfere with other Members of this body in acting as the direct representatives of the sovereignty of their States. That and that alone should be the consideration when it comes to a matter of deciding a question of disciplinary action by this body in regard to one of its Members. If this rule were enlarged or stretched or distorted to encompass the sort of proceeding we now have before us, it would indeed operate to utterly destroy the purpose behind the rule.

If we are to censure on the basis of the charges, and the evidence in support of those charges, which are now before us, we would be establishing a precedent under which a great number of present or former Members of this body might have been censured, and this I say from the standpoint of 18 years experience in hearing remarks made by one Senator in regard to another, or remarks made by a Senator in regard to the testimony of a witness at a hearing, or remarks made by a Senator in regard to motives of a committee in arriving at certain conclusions.

But some of you may feel, if we hereby establish a precedent, that what has been said before is water over the dam and that about what is said in the future, we are forewarned. Let us think of that for a moment. There sits among us today a colleague from the sovereign State of Wisconsin, who is subject to a recommendation for censure without the benefit of the forewarning, for which some would say we are now

setting the precedent. That is the disturbing part, to my mind, of this procedure.

In our Senate Manual in the section known as Jefferson's Manual, it is clear that "citizen" means also a Member of this body.

What we are attempting to do, if we try to censure in the way the proposal has been served up to us, is as unnatural as trying to conceive and give birth at the same time. We would be creating a power which we may or may not have the power to create—we would be defining a crime and establishing a procedure while at the same time and in the same process weighing evidence and determining guilt under the power, definition, and procedure that we are in the process of bringing into being. We would not only be going far beyond establishing precedent under the Constitution but we would be flying in the face of other constitutional guarantees of fair play, such as the provision that one will not be made accountable to an *ex post facto* law.

Now let us consider the consequence of carrying through the censure proposals to the ultimate conclusion. The precedent would be an undue inhibition on debate. The Members of this body are not demigods and archangels—they are human beings and while human nature remains imperfect so will be the conduct which is the expression of human nature. From a great debating and legislative body we might well descend to a group of silent mummies, completely inarticulate, each busy at the job of being his brother's keeper. The prospect of this eventuality must have been well recognized in the past when you consider that in the long history of the United States Senate there have been only three occasions when censure was considered. In the first case, when one Member advanced on another, the other met him with a drawn revolver. In that case, in 1850, between Senators Benton and Foote, under a resolution, a committee was appointed to investigate the disorder and to report to the Senate "what befits the occasion." The committee reported no Senate action was recommended, and the matter was dropped. Fifty-two years later Senators Tillman and McLaurin engaged in fisticuffs on the floor. After an immediate closed-door session of 2 hours and 40 minutes, the Senate unanimously passed an order that the two Senators involved be declared in contempt, and the matter was referred to a then standing committee, the Committee on Privileges and Elections, to report on what action should be taken by the Senate in regard thereto. The two Senators were given permission to make an apology, to purge themselves of contempt at that time. The committee reported a resolution of censure and disorderly behavior, which also canceled the contempt order. The contempt order had suspended their functions as Senators for the 6 intervening days between the incident and the report of the committee.

Twenty-seven years later, Senator Bingham, of Connecticut, was censured by resolution as the result of a subcommittee report of the Committee on Judiciary, on the matter of lobbying in which the Senator was incidentally involved. It would appear that the present resolution, because of the similarity in language, was drawn with the Bingham censure resolution as a model, and it would seem to me, that we are now faced with the question of whether we shall confirm the procedure in the Bingham case, which was a radical departure from the already cited constitutional provisions. It is not uncommon in the evolution of constitutional law, as I have previously pointed out, that certain decisions stand out as spur tracks, branching off the main line, which spur tracks are soon abandoned after the heat and expediency of the moment is over. Are we now going to add expediency to expediency and extend the spur track further,

rather than continue on the main line which has served us for more than 165 years?

Before leaving the issue of this body being the final repository of State sovereignty, let our minds travel back over the 167 years that have intervened since those hectic days of the Constitutional Convention in Philadelphia in the summer of 1787. In the heat of that summer without benefit of air-conditioning the tireless and devoted delegates to that convention were laboring to give birth to a new nation destined to become the greatest nation on earth.

Opinions were sharply divided and compromise after compromise was the order of the day. Yet, withal, in the compromise between the Nationalists and the Federalists in regard to the matter of State sovereignty, the eternal right of a State to preserve its sovereignty was most strongly set forth, and at the same time there was also set forth one cardinal rule in regard to the conduct of those individuals to whom was entrusted that sovereignty.

That was the rule which I have already cited that provided punishment only for disorderly behavior. Putting yourselves in that convention hall and thinking with the vigor of those Founding Fathers, can you imagine for one moment what the reaction would have been if it had been suggested that after that cited rule of conduct that there be inserted something like the following: "Provided further that at any time that certain Members of the Senate become irritated at the language and methods of a fellow Member, that there may be by appropriate resolution, adopted by a majority of the membership, censure of that Member and the sovereignty of the State from which he comes is thereby abridged to the extent of the censure." Over that long span of years I can hear the hoots of derision that would have greeted any such proposal.

Let us now turn to a contemplation of another and equally great danger that rises before us in the new and uncharted seas into which the adoption of the committee report would eventually lead. The danger that we would strike on the shoals of intolerance where freedom of speech would be irretrievably lost.

We hear a good deal about freedom of speech. Its fair name is taken in vain in many and varied causes but here in the Congress of the United States if freedom of speech is undermined and curtailed, how can it long endure elsewhere? The concept of freedom of speech should be safe eternally in this its most redoubtable citadel—the United States Senate. That our Founding Fathers decided this would be that citadel could no better be expressed than in the constitutional provision of immunity for whatever may be said in the Chambers of Congress. In a democracy so great is the public interest in—so great is the absolute necessity of, free and untrammelled freedom of speech in congressional debate, that immunity was given, even for such words, that without immunity would be subject to civil or even criminal libel. Intention was never made more clear.

Are we now to reject all that? Have we now become so thin-skinned, so sensitive, so lacking in stalwartness that we are seeking protection, one from another, because of what may have been an intemperate remark made in debate? Has it come to the day when we can no longer frankly debate with one another and express our viewpoints even perchance with inadvertent words of passion and not, when debate is over, link arms and go to dinner together? Are we to jeopardize the great tradition in this body where I have heard delivered some of the most touching and beautiful eulogies about a departed Member, delivered by someone who throughout a Senate lifetime had been his most bitter opponent in debate?

But some will say the privileges and immunities of this floor should not extend to committees, such as Senate investigating committees, before which the public is most apt to come, although it is clear that the immunities and privileges do extend. Probably none of our Founding Fathers in their wildest flights of imagination ever dreamed to what size our Federal Government would grow and what varied projects it would encompass. There is no special constitutional instruction as to committee procedure except the general provision found in article I, section V, clause II, that: "Each House may determine the rules of its proceedings." Nor is the Senate Manual instructive on the point, except for certain minor matters.

We must remember that although investigating committees are not a new feature of our operation, nevertheless, committees called upon to investigate American citizens for subversion—American citizens who through some unfathomably warped and perverted thinking would participate indirectly or directly in philosophies and conspiracies for overthrowing our form of Government and delivering us into the hands of a foreign power. True the word traitor is not a new word in the English language. But new indeed are the traitorous methods which we are confronted with today. Repugnant to any true American would be such persons and their methods. What would be more calculated to try the soul of a man than to have one of these people in evading honest inquiry, take refuge in the very Constitution he seeks to destroy. What would be more calculated to try a man's soul than to find that such people have infiltrated into the highest levels of the Government which he is trying to defend and preserve. Under such circumstances is not the avoidance of angry words or what might be considered intemperate words almost an impossibility.

But let us not reason merely in the abstract. Let us see what has been said in the past in regard to the conduct of investigating committees. In my search on this subject I happened to come across the writings of three men—one a former President of the United States, Woodrow Wilson, who in his treatise entitled "Congressional Government" said:

"It is the proper duty of a representative body to look diligently into every affair of government and to talk much about what it sees. It is meant to be the eyes and the voice, and to embody the wisdom and will of its constituents. Unless Congress have and use every means of acquainting itself with the acts and the disposition of the administrative agents of the Government, the country must be helpless to learn how it is being served; and unless Congress both scrutinize these things and sift them by every form of discussion, the country must remain in embarrassing, crippling ignorance of the very affairs which it is most important that it should understand and direct. The informing function of Congress should be preferred even to its legislative function."

The other two—each of whom by coincidence, find themselves today on the highest court in this land, which is dedicated to the preservation of the judicial branch of the Government as we are dedicated to the legislative branch of the Government. The writings from which I quote are not court decisions. They were written before either of these men ascended to the Supreme bench but they were written at a time when they were in full maturity and with mature judgment and since "as the twig is bent so is the tree inclined," such I would think would be their belief today. And may I further add that they have always been considered men of a very liberal point of view.

Justice Hugo Black in a Harper's article in 1936, when he was then an investigating Senator himself, expressed approbation of



the tactic, if necessary in handling an evasive witness, to "attempt to shake it out of him with a more drastic attack."

Justice Frankfurter in writing in the May 21, 1924, New Republic at a time when the Walsh-Wheeler investigations were being conducted had this to say in regard to the methods of investigating committees:

"But where so much that the Department of Justice was doing under Daugherty was not innocent, it is highly important that even innocent transactions in the general field of fraud and suspicion be explained in order to separate the sheep from the goats. The question is not whether people's feelings here and there may be hurt, or names dragged through the mud, as it is called. The real issue is whether the danger of abuses and the actual harm done are so clear and substantial that the grave risks of fettering free congressional inquiry are to be incurred by artificial and technical limitations upon inquiry. Any quantitative and qualitative judgment of what Walsh and Wheeler were up against, what they produced and how they produced it, leaves the experienced and disinterested mind, duly regardless of the investigating duties of Congress, wholly without justification for changing congressional procedure." And further he said:

"It must be remembered that in various fields there is no legal protection against harm due to unfettered speech. The only safeguards are those secured by social and moral pressure. Thus the immunities enjoyed by judges and legislators for anything said by them as judges and as legislators are founded on deep experience. So also, the abuses of the printing press are not sought to be corrected by legal restriction or censorship in advance because the remedy is worse than the disease. For the same reason, congressional inquiry ought not to be fettered by advance rigidities, because in the light of experience there can be no reasonable doubt that such curtailment would make effective investigation almost impossible."

Further on Justice Frankfurter speaks of the then proposal to introduce curbs on the investigating powers of Congress:

"Where they have never been resorted to or where they are wholly out of place, namely, in the exercise of the informing function of Congress."

And finally Justice Frankfurter says:

"Whatever inconveniences may have resulted are inseparable incidents of an essential exertion of governmental power, and to talk about these incidents is to deflect attention from wrongdoing and its sources."

"The procedure of congressional investigation should remain as it is. No limitations should be imposed by congressional legislation or standing rules. The power of investigation should be left untrammelled and the methods and forms of each investigation should be left for determination of Congress and its committees as each situation arises. The safeguards against abuse and folly are to be looked for in the forces of responsibility which are operating from within Congress, and are generated from within."

In considering the subject matter and working over the remarks I am making here today I have been haunted and obsessed by the ominous overtones of the drama in which we find ourselves the players. What has become of the true liberals in our midst, not the breast-beating, self-proclaiming ones? They are strangely silent, while the breast beaters and self-proclaimers, though protesting the utmost liberalism, are unwittingly asking us to take the most reactionary step this body has ever taken. True liberalism is found in a live-and-let-live state of mind. The true liberal does not go about with sandwich boards in front and behind ad-

vertising his wares; he is secure in his own mind with his live-and-let-live attitude and he knows well that actions speak louder than words. We have a strange situation today in which those who shout their liberalism the loudest are the most intolerant of other points of view and most reactionary in wanting to suppress points of view differing from their own. Labels no longer mean anything. One must stop to look beneath the surface.

There are ominous overtones too, in the spectacle we present to the country and the world. We on this side of the aisle can take no comfort in the fact that these proceedings were instituted by one member of our party against another member of our party. You, my colleagues on the other side of the aisle, should have no pride in joining the fray, in the hope of political advantage, if that is in your minds, at a time when the continued effectiveness of this great body is being challenged. These proceedings were ill-conceived and each day that we remain here in political sparring and wrangling debate, we present a more and more sorry spectacle to our own citizens and to citizens in other parts of the world, whether they would be friendly or whether they would destroy us. The drama in which we are indulging discomforts our friends and makes gleeful our enemies.

I see ominous overtones in the fact that our investigating subcommittee on subversion has been immobilized for a matter now of 9 months. Lost in the morass of endless discussion of man and method is the great and necessary work of continuing investigation on the score of subversion.

Final and most ominous overtone of all I see is that by this unnecessary and ill-advised proceeding, calling for censure, we are driving the greatest, if not the final spike in the coffin of our tripartite form of government as we have known it. Government is a fluid thing. There is constant flux. Change is the never changing order. We are now at the apex of a pendulum swing toward overwhelming dominance by the executive branch. It is not the fault of any individual, it is not the fault of any group of individuals. I do not say that anyone has sought such a result, but such a result we all know we have. All of us will admit it privately, some of us will speak it out as I do today, publicly.

If we depart from our constitutional concepts and instructions which I have mentioned hitherto, if we depart from our traditions of full freedom of debate and the inviolability of our Members, we are well on our way to oblivion as the upper branch of the greatest democratic legislative body on earth. In our Senate Manual, which is on the desks and in the offices of all of us, on page 303 appears the following:

"Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say it was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority against the attempts of power."

Gentlemen—my colleagues—I appeal to you, the decision rests with you and it is a decision which may well be the most historic decision made in this body in the 166 years we have participated in shaping the history of this land. I ask that we do not depart from our established rules, precedents, and customs—that we urge ourselves of the taint of petty bickering at a time which I feel is a time of crisis for this United States

Senate. Let us shortly vote against censure and then let us return dedicated anew to our real tasks and problems of keeping our great country on the straight road of its manifest glorious destiny.

Mr. THYE. Mr. President, will the minority leader yield in order that I may place in the RECORD a statement which I have prepared?

Mr. JOHNSON of Texas. I yield.

Mr. THYE. Mr. President, I ask unanimous consent to have placed in the RECORD a statement which I have prepared on the censure resolution.

There being no objection, Mr. THYE's statement was ordered to be printed in the RECORD, as follows:

#### STATEMENT BY SENATOR THYE

No more unpleasant or difficult duty could fall upon the Members of the United States Senate than that of judging whether or not the acts and words of another Senator should be publicly censured.

In the last analysis each Member of the Senate who has the responsibility of casting a vote on such a question must determine what in his judgment are the merits of the case, what action will best maintain standards which have made the Senate through generations one of our great institutions of freedom, and what will be in the best interests of this Nation.

I have carefully considered this entire matter, and all the issues which have entered into the debate and the public controversy relative to it, and I have concluded that in conscience, in respect for the Senate, and in the discharge of my duty as a Senator I cannot do otherwise than vote for the resolution of censure.

This decision is based primarily upon my evaluation of what is the real issue in the present case, stripped of personalities, emotions, and unrelated diversions.

I believe that Members of the Senate should be held to strict accountability for their actions and their conduct, that witnesses before Senate committees are entitled to fair treatment, that Senate committees themselves in discharging their functions deserve the respect and cooperation of all Members of the Senate, and that individual members of such committees in carrying out their duties should be free from personal attack that impugns their motives.

It is when there is persistent departure from principles such as these that the honor and prestige of the Senate demand that a line be drawn.

It is like the line between liberty and license.

To me it is of the greatest importance that the business of the United States Senate should be conducted with due regard to the standards which have made this legislative assembly one of the strongest and most vital pillars of our Republic.

Surely the American people have a right to look here for a standard that is not ordinary.

How Senators act and what the Senate does should be an inspiration and an example, particularly to the youth of America who are destined to live in an age of conflict of ideals.

When the Senate deliberates with reason and understanding, when it proceeds in orderly fashion, and when it is true to its own high traditions it is a bulwark of strength for our own country and a beacon light for all mankind and more especially the young people who will suffer from our mistakes if made.

Let us look to the future, not without regret for mistakes that have been made, but with confidence and not confusion.

Let us raise the level of public service and enhance the confidence of our people in those chosen to serve them.

Let us use free speech, not abuse it, for the vigorous exchange of ideas.

Let us make patriotism a living thing, and not a cloak of self-righteousness or a mantle for ourselves alone to the exclusion of other loyal citizens who may differ with our views.

Let us find a common ground of unity in this country stemming from the strength of our just laws, our representative institutions, and the worthy traditions upon which this country was founded and upon which it has become great.

If we do these things we may look to the future with renewed strength, we will prevent the weakness that comes when we fight to destroy each other, and we will make the resources of freedom the firm foundation upon which the United States of America will stand against all its enemies and all the forces that may be arrayed against us.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have already been ordered. The question is on agreeing to the resolution, as amended.

Mr. WATKINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

|               |                |              |
|---------------|----------------|--------------|
| Abel          | Frear          | Mansfield    |
| Aiken         | Fulbright      | Martin       |
| Anderson      | George         | McCarthy     |
| Barrett       | Gillette       | McClellan    |
| Beall         | Goldwater      | Millikin     |
| Bennett       | Green          | Monroney     |
| Bridges       | Hayden         | Morse        |
| Brown         | Hendrickson    | Mundt        |
| Burke         | Hennings       | Murray       |
| Bush          | Hickenlooper   | Neely        |
| Butler        | Hill           | O'Mahoney    |
| Byrd          | Holland        | Pastore      |
| Carlson       | Hruska         | Payne        |
| Case          | Humphrey       | Pottell      |
| Chavez        | Ives           | Robertson    |
| Clements      | Jackson        | Russell      |
| Cooper        | Jenner         | Saltonstall  |
| Cordon        | Johnson, Colo. | Schoeppel    |
| Cotton        | Johnson, Tex.  | Scott        |
| Daniel, S. C. | Johnson, S. C. | Smith, Maine |
| Daniel, Tex.  | Kefauver       | Smith, N. J. |
| Dirksen       | Kerr           | Sparkman     |
| Douglas       | Kilgore        | Stennis      |
| Duff          | Knowland       | Symington    |
| Dworshak      | Kuchel         | Thye         |
| Eastland      | Langer         | Watkins      |
| Ellender      | Lehman         | Williams     |
| Ervin         | Long           | Young        |
| Ferguson      | Magnuson       |              |
| Flanders      | Malone         |              |

The VICE PRESIDENT. A quorum is present.

The question is on agreeing to the resolution as amended. The yeas and nays having been ordered, the Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCARTHY (when his name was called). Present.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER], the Senator from Indiana [Mr. CAPEHART], and the senior Senator from Wisconsin [Mr. WILEY] are absent by leave of the Senate on official business.

On this vote, the Senator from Ohio [Mr. BRICKER] has a pair with the Senator from Tennessee [Mr. GORE], and the Senator from Indiana [Mr. CAPEHART] has a pair with the Senator from

Florida [Mr. SMATHERS]. If present and voting, the Senator from Ohio [Mr. BRICKER] and the Senator from Indiana [Mr. CAPEHART] would each vote "nay," while the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Tennessee [Mr. GORE] and the Senator from Florida [Mr. SMATHERS] are absent by leave of the Senate on official business.

The Senator from Massachusetts [Mr. KENNEDY] is absent by leave of the Senate because of illness.

I announce further that on this vote the Senator from Tennessee [Mr. GORE] is paired with the Senator from Ohio [Mr. BRICKER]. If present and voting, the Senator from Tennessee would vote "yea," and the Senator from Ohio would vote "nay."

I announce also that on this vote the Senator from Florida [Mr. SMATHERS] is paired with the Senator from Indiana [Mr. CAPEHART]. If present and voting, the Senator from Florida would vote "yea," and the Senator from Indiana would vote "nay."

The result was announced—yeas 67, nays 22, as follows:

#### YEAS—67

|               |                |              |
|---------------|----------------|--------------|
| Abel          | Frear          | McClellan    |
| Aiken         | Fulbright      | Monroney     |
| Anderson      | George         | Morse        |
| Beall         | Gillette       | Murray       |
| Bennett       | Green          | Neely        |
| Burke         | Hayden         | O'Mahoney    |
| Bush          | Hendrickson    | Pastore      |
| Byrd          | Hennings       | Payne        |
| Carlson       | Hill           | Potter       |
| Case          | Holland        | Robertson    |
| Chavez        | Humphrey       | Russell      |
| Clements      | Ives           | Saltonstall  |
| Cooper        | Jackson        | Scott        |
| Cotton        | Johnson, Colo. | Smith, Maine |
| Daniel, S. C. | Johnson, Tex.  | Smith, N. J. |
| Daniel, Tex.  | Johnson, S. C. | Sparkman     |
| Douglas       | Kefauver       | Stennis      |
| Duff          | Kerr           | Symington    |
| Eastland      | Kilgore        | Thye         |
| Ellender      | Lehman         | Watkins      |
| Ervin         | Long           | Williams     |
| Ferguson      | Magnuson       |              |
| Flanders      | Mansfield      |              |

#### NAYS 22

|           |              |           |
|-----------|--------------|-----------|
| Barrett   | Hickenlooper | Millikin  |
| Bridges   | Hruska       | Mundt     |
| Brown     | Jenner       | Purtell   |
| Butler    | Knowland     | Schoeppel |
| Cordon    | Kuchel       | Welker    |
| Dirksen   | Langer       | Young     |
| Dworshak  | Malone       |           |
| Goldwater | Martin       |           |

#### NOT VOTING—6

|          |         |          |
|----------|---------|----------|
| Bricker  | Gore    | Smathers |
| Capehart | Kennedy | Wiley    |

#### ANSWERED "PRESENT"—1

McCarthy

So the resolution (S. Res. 301), as amended, was agreed to, as follows:

*Resolved*, That the Senator from Wisconsin, Mr. McCARTHY, failed to cooperate with the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, Mr. McCARTHY, is contrary to senatorial traditions and is hereby condemned.

SEC. 2. The Senator from Wisconsin, Mr. McCARTHY, in writing to the chairman of the Select Committee To Study Censure Charges (Mr. WATKINS) after the select committee had issued its report and before the report was presented to the Senate charging three members of the select committee with "deliberate deception" and "fraud" for failure to disqualify themselves; in stating to the press on November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a "lynch party"; in repeatedly describing this special Senate session as a "lynch bee" in a nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the select committee (Mr. WATKINS) was guilty of "the most unusual, most cowardly thing I've heard of" and stating further: "I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement"; and in characterizing the said committee as the "unwitting handmaiden," "involuntary agent," and "attorneys in fact" of the Communist Party and in charging that the said committee in writing its report "imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization" in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the CONGRESSIONAL RECORD of November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity; and such conduct is hereby condemned.

Mr. WATKINS. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. IVES. Mr. President, I move to lay the motion of the Senator from Utah on the table.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New York.

The motion to lay on the table was agreed to.

Mr. BRIDGES. Mr. President, I wish to address the Chair to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRIDGES. The Senator from New Hampshire desires to know whether or not in the resolution just passed the word "censure" is mentioned?

The VICE PRESIDENT. Answering the inquiry of the Senator from New Hampshire, the Chair will say the word "censure" does not appear in the body of the resolution.

The title will be appropriately amended, and the clerk will read the title as amended.

The CHIEF CLERK. Resolution relating to the conduct of the Senator from Wisconsin, Mr. McCARTHY.

Mr. BRIDGES. Mr. President, another parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BRIDGES. Then the resolution which has been agreed to is not a censure resolution?

The VICE PRESIDENT. The Senator has not stated a parliamentary inquiry.

Mr. BRIDGES. The Senator from New Hampshire will ask the Chair if, after the elimination of the word "cen-



sure" in the amendment of the title, the resolution as adopted concerns the censure of a United States Senator.

The VICE PRESIDENT. The Senator has stated the same inquiry in different words. The resolution does concern the conduct of a Senator, and the Senator from New Hampshire or other Senators may place upon the resolution such interpretation as they desire.

#### SENATOR FROM NEVADA

Mr. KNOWLAND. Mr. President, the Senate has before it a privileged matter relating to the credentials of a United States Senator.

The VICE PRESIDENT. The credentials will be read.

The credentials were read by the legislative clerk, and ordered to be placed on file, as follows:

STATE OF NEVADA,  
EXECUTIVE DEPARTMENT.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that at a general election held in the State of Nevada on Tuesday, the 2d day of November 1954, ALAN BIBLE was duly elected by the qualified electors of the State of Nevada a Senator from said State to represent said State in the Senate of the United States for the unexpired term of United States Senator Patrick A. McCarran, deceased, and having received the highest number of votes cast for said office of Senator, as appears by the certificate of the duly constituted and qualified board of canvassers now on file in the office of the secretary of state at Carson City, Nev., he was elected for the term beginning upon his qualifying as said Senator and ending on the 3d day of January 1957.

In testimony whereof, I have hereunto set my hand and caused the great seal of the State of Nevada to be affixed at Carson City, this 1st day of December, in the year of our Lord 1954.

CHARLES H. RUSSELL,  
Governor.

By the Governor:

[SEAL]

JOHN KOONTZ,  
Secretary of State.

The VICE PRESIDENT. If the Senator-elect will present himself at the desk, the oath of office will be administered to him.

Mr. BIBLE, escorted by Mr. MALONE and Mr. BROWN, advanced to the Vice President's desk, and the oath of office prescribed by law was administered to him by the Vice President, and was subscribed by the new Senator.

[Applause on the floor and in the galleries.]

#### PERSONAL STATEMENT

Mr. FLANDERS. Mr. President—

The VICE PRESIDENT. The Senator from Vermont.

Mr. FLANDERS. Mr. President, with the exception of a few paragraphs of one speech, everything that I have said and done from last March until the present time was a matter of deep necessity and deep thought. There are a few paragraphs of one speech which I have come to regret very deeply, nothing else; but I do regret those paragraphs very deeply.

I should like first to extend my apologies to the Senate, and to the junior Senator from Wisconsin, who is not present. I told him that I hoped he could stay. I should like to do what can be done in the way of clearing the record. That will be difficult, but I am assuming that there are still a number of unbound volumes of the RECORD of this session of the 83d Congress, and I desire unanimous consent that I may consult with the majority and the minority leaders as to the possibility of handling the RECORD in some way, and that the Senate may give them power to act. For that I ask unanimous consent.

Mr. WELKER. Mr. President, reserving the right to object, first I should like to ask why the Senator from Vermont did not apologize to the junior Senator from Wisconsin before this late hour.

Mr. FLANDERS. As for the time for apologizing, that matter lies within my own control.

Mr. WELKER. Then, Mr. President, I object to the request for unanimous consent.

The VICE PRESIDENT. Objection is heard.

Mr. FLANDERS. Then, Mr. President—that having been prevented—I should like to make a further comment: I trust that Senators will from time to time read over the speeches I have made, commencing with the very friendly one I made in March, which I hoped might result in some change of thought or action on the part of the junior Senator from Wisconsin. However, that did not occur.

I now end that part of the discussion; I have mentioned it only in order to indicate that my relations with him and my thoughts of him have not been personally unfriendly, but I have been seriously disturbed by the course of events of which he has been the center.

Now I wish to comment on the fact that this morning the junior Senator from Indiana [Mr. JENNER] asked me certain questions with regard to my relations with Mr. Lattimore and with others. I asked him whether he would put those questions in writing; but he took my note, crumpled it up, and left the Chamber—from which I conclude that his only interest was in asking the questions, not in obtaining the answers.

I wish to say that I have my Lattimore file with me, and will be glad to show it to any constituted authority, either of this body or of the administration.

Furthermore, he asked me certain questions with regard to my relations with Mr. White, of the Treasury Department. I do not remember the others about whom he asked me; their names will appear in the copies of the CONGRESSIONAL RECORD which will be available tomorrow.

I may say I played a part in the announced judgment of the then Secretary of the Treasury, Mr. Morgenthau, and of the then negotiator for the banking system, Mr. Randolph Burgess. I played an important part in making amendments to or suggestions concerning the

bills for the Monetary Fund and the World Bank, which led to their final passage in the House and in the Senate. I do not remember, for the moment, that I was actively engaged in conversation on that subject with Mr. Harry Dexter White. It is not impossible that I was. If so, that is, to the best of my recollection, my only connection with the gentleman.

I thank the Senate for its attention.

Mr. JENNER. Mr. President, if the Senator from Vermont asked me to write out the questions and if he gave me a slip and I crumpled it up, I apologize. I do not recall his handing me a slip; I do not recall crumpling up such a slip.

But the questions I asked are in the official RECORD of the Senate, and could be obtained at any time by the Senator from Vermont. All he needs do is go to the Official Reporter, Mr. Murphy, and he will give him the questions. If the Senator from Vermont does not have them and if he is not interested enough to go get them, I will repeat them, or I will give him a copy of the remarks I made this morning.

I did ask him to answer the questions before the final vote was taken on the censure resolution that he started; but that request of mine was not complied with.

I do not know what the answers of the Senator from Vermont will be to all the questions. But I am certain that this body and various committees of this body will be interested in his answers; and we will expect his answers to come in due time.

Mr. President, let me say that this has been a very, very sad affair. Many things are still unanswered; for example, we have had no report on the mail cover and the telephone cover incidents.

From the parliamentary inquiry which was made, I find that the word "censure" does not appear in the resolution, as finally adopted. I also find that reference to General Zwicker does not appear in the resolution, as finally adopted.

Mr. President, someone has said that apparently old soldiers never die; they just fade away, with resolutions of censure in their hip pockets.

Many unkind things have been said here. I predict this is not the last situation of this sort the Senate will face, as a result of the precedent which has been established.

As an example, yesterday the Senator from Vermont said the Senator from Indiana had taken leave of his intelligence. I wish I could say the same for the Senator from Vermont.

So we are anxiously awaiting the answers of the Senator from Vermont to these questions. I think they may shed a great light upon what has happened on the floor of the Senate; and I am sure that the properly constituted committees will give the Senator from Vermont an invitation, or will give him a subpoena if he does not come forward with the answers.

# SENATE RESOLUTION 301, AS ADOPTED

Mr. FULBRIGHT. Mr. President, two Members on the other side of the aisle have called attention to the fact that the censure resolution as finally adopted does not contain the word "censure." I believe Senators will find that the last previous resolution of censure, as it is commonly called, adopted in 1929, also used the word "condemned."

For the information of Senators, and in order to convey the meaning which I attach to the resolution just adopted—and I believe other Senators who voted for it also had this understanding of it—I should like to read from Webster's International Dictionary the definition of "condemn," "condemned," and "censure." First, we come to the word "condemn." I shall not read all the definitions. I read several of them:

To pronounce to be wrong; to disapprove of; to declare the guilt of; to make manifest the faults of; to convict of guilt; to pronounce a judicial sentence against; to adjudge or pronounce to be unfit for use or service; to adjudge or pronounce to be forfeited; to pronounce incurable.

The adjective "condemned" is defined as follows:

Pronounced to be wrong, guilty, worthless, or forfeited; adjudged or sentenced to punishment, destruction, or confiscation.

I believe the word "condemn" was in the original resolution submitted by the Senator from Vermont [Mr. FLANDERS]. As I recall, it was also in the Bingham resolution.

The definitions of the word "censure" are practically the same:

To condemn or reprimand by a judicial or ecclesiastical sentence; to find fault with or condemn as wrong; to blame; to express disapprobation of; to criticize adversely.

So I am quite unable to see that there is any substance to the point made, that this resolution does not contain the word "censure." It is a resolution of censure, in the common usage of the word.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. AIKEN. I ask the Senator to give us the benefit of his knowledge. Is it not a fact that we may condemn a person, and also we may condemn an act of a person, which the resolution which we have just adopted has done? It condemns the act rather than the person.

Mr. FULBRIGHT. I would not presume to interpret the entire resolution. It speaks for itself. I did not raise the question. However, two Members on the other side of the aisle seem to think there is some significance in the point that the word "censure" is not found in the resolution. Actually, the word "condemn," as I read it, is a more severe term than "censure," if there is any difference at all.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. BRIDGES. The Senator from New Hampshire raised the point that the word "censure" does not appear in the resolution itself. He did so because he

thought it was very peculiar for the Senate to be called into special session to consider the censuring of the junior Senator from Wisconsin, and, after all the time and effort which was put forth, to find that the resolution which the Senate finally adopted did not contain the word "censure."

I am glad the Senator from Arkansas recognizes that fact, and is now trying to develop a philosophy which will justify the action.

Mr. FULBRIGHT. The Senator from New Hampshire does not mean to say, does he, that in 2 or 3 places the resolution does not contain the word "condemn" very explicitly? That is correct, is it not?

Mr. BRIDGES. I believe that is correct. However, the Senator from Arkansas was speaking about censure and about the resolution being a resolution of censure.

Mr. FULBRIGHT. As I recall, the distinguished Senator from Idaho [Mr. WELKER], who took a prominent part in the debate on the resolution, said that, in his opinion, the word "condemn" was not so severe as the word "censure." That is my recollection of what he said.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

Mr. WATKINS, Mr. JENNER, and Mr. WELKER addressed the Chair.

The VICE PRESIDENT. The Senator from Arkansas has the floor.

Mr. MAGNUSON. Mr. President, what is the question before the Senate?

The VICE PRESIDENT. The Senator from Arkansas has the floor.

Mr. FULBRIGHT. I yield to the senior Senator from Utah for a question.

Mr. WATKINS. I should like to inquire whether the Senator from Arkansas was present when the Senator from Idaho, in his speech on November 16, quoted the Bingham resolution. The Bingham resolution, Senate Resolution 146, 71st Congress, 1st session, reads as follows:

*Resolved*, That the actions of the Senator from Connecticut, Mr. Bingham, in placing Mr. Charles L. Eyanson upon the official rolls of the Senate at the time and in the manner set forth in the report of the subcommittee of the Committee on the Judiciary (Rept. No. 43, 71st Cong., 1st sess.) is contrary to good morals and senatorial ethics and tends to bring the Senate into dishonor and disrepute, and such conduct is hereby condemned (id. p. 5063).

Does the Senator recall that the Senator from Idaho read that resolution?

Mr. FULBRIGHT. I thank the Senator from Utah. That was the point I tried to make. I was speaking from memory. I did not have the exact quotation before me.

Mr. WELKER addressed the Chair.

Mr. JENNER. Mr. President, a parliamentary inquiry.

Mr. WATKINS. The point I wished to make was that the word "condemned" was the historical word used in censure resolutions.

Mr. FULBRIGHT. The Senator is quite correct. It was my understanding that he was following the precedent. I take it that the senior Senator from New Hampshire accepts that as a proper

word in the resolution, and that the meaning of the word is as I understand it to be.

Mr. KNOWLAND obtained the floor.

Mr. JENNER. Mr. President—

Mr. KNOWLAND. Mr. President, I yield to the Senator from Indiana for a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Indiana will state it.

Mr. JENNER. There seems to be some question about whether Senator McCARTHY has been censured or condemned. Does the Chair feel that we should do it all over again?

Mr. WELKER. Mr. President, will the Senator yield? My name has been mentioned. I believe in fairness to me the Senator from California should yield to me so that I may ask a question of the Senator from Arkansas.

Mr. KNOWLAND. I shall be glad to yield for that purpose, with the understanding that I do not lose the floor.

The VICE PRESIDENT. Without objection, the Senator may yield for that purpose.

Mr. WELKER. Mr. President, will the Senator from Arkansas answer a question?

Mr. FULBRIGHT. I shall be happy to do so, if I can.

Mr. WELKER. I should certainly be surprised if the distinguished Rhodes scholar, the Senator from Arkansas, could not answer this question.

Mr. FULBRIGHT. I thank the Senator from Idaho for his gracious compliment.

Mr. WELKER. Regardless of whether the Senator from Arkansas has practiced law, is it not a fact that I gave to the Senator the legal definition of the words "censure" and "condemnation"? I certainly did not attempt to use any mock court, political tribunal that we witnessed here at the taxpayers' expense.

Mr. FULBRIGHT. I do not believe that is a question.

## THE RESOLUTION CENSURE?—CONDEMNATION?

Mr. MALONE subsequently said: Mr. President, now that the "party" is over and tempers have cooled, in order to keep the RECORD straight in regard to just what the Senate has accomplished with a resolution which began with a threatened censure, but ended by condemning the language used by the junior Senator from Wisconsin in describing the select committee appointed to investigate the charges and report to the Senate.

I wish to state that in the resolution, as finally adopted, I find very little of the original proposal of the special committee under Senate Resolution 301 as first reported to the Senate at the opening of this special session.

## THE AMENDED RESOLUTION

I now hand to the clerk of this distinguished body a copy of the amended resolution, as finally adopted, and ask that it be read.

The PRESIDING OFFICER. Without objection, it will be read.

The Chief Clerk read as follows:

*Resolved*, That the Senator from Wisconsin [Mr. McCARTHY] failed to cooperate with



the Subcommittee on Privileges and Elections of the Senate Committee on Rules and Administration in clearing up matters referred to that subcommittee which concerned his conduct as a Senator and affected the honor of the Senate and, instead, repeatedly abused the subcommittee and its members who were trying to carry out assigned duties, thereby obstructing the constitutional processes of the Senate, and that this conduct of the Senator from Wisconsin, [Mr. McCARTHY] is contrary to senatorial traditions and is hereby condemned.

SEC. 2. The Senator from Wisconsin [Mr. McCARTHY] in writing to the chairman of the Select Committee To Study Censure Charges, Mr. WATKINS, after the Select Committee had issued its report and before the report was presented to the Senate charging three members of the Select Committee with "deliberate deception" and "fraud" for failure to disqualify themselves; in stating to the press on November 4, 1954, that the special Senate session that was to begin November 8, 1954, was a "lynch party"; in repeatedly describing this special Senate session as a "lynch bee" in a nationwide television and radio show on November 7, 1954; in stating to the public press on November 13, 1954, that the chairman of the Select Committee, Mr. WATKINS, was guilty of "the most unusual, most cowardly thing I've heard of" and stating further: "I expected he would be afraid to answer the questions, but didn't think he'd be stupid enough to make a public statement"; and in characterizing the said committee as the "unwitting handmaiden," "involuntary agent" and "attorneys-in-fact" of the Communist Party and in charging that the said committee in writing its report "imitated Communist methods—that it distorted, misrepresented, and omitted in its effort to manufacture a plausible rationalization" in support of its recommendations to the Senate, which characterizations and charges were contained in a statement released to the press and inserted in the CONGRESSIONAL RECORD of November 10, 1954, acted contrary to senatorial ethics and tended to bring the Senate into dishonor and disrepute, to obstruct the constitutional processes of the Senate, and to impair its dignity; and such conduct is hereby condemned.

Mr. MALONE. Mr. President, that is the resolution as finally passed by this distinguished body.

The word "censure" does not appear.

The harm, of course, is in condemning a Senator who is not accused of breaking any rule of the Senate or any law of the land.

The condemnation is for the spoken word which is a precedent this body may regret.

MCCARTHY was only the whipping boy, the real objective is the destruction of the investigative power of the United States Senate.

#### CONSIDERATION OF NOMINATIONS

Mr. KNOWLAND. A number of Senators have asked me questions with reference to certain nominations.

Mr. WATKINS. I should like to make a brief statement.

Mr. KNOWLAND. I wonder whether the distinguished Senator from Utah would permit the Senate to proceed with the nominations. There will be ample time for other matters. I should like to proceed with certain routine, noncontroversial nominations.

Mr. WATKINS. What I have in mind relates to the staff. It is a closing statement.

#### EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

Mr. JOHNSON of Texas. I understand that the majority leader intends to have the Senate consider only routine, noncontroversial nominations, which have been previously agreed upon and which appear on the executive calendar available to every Senator?

Mr. KNOWLAND. That is correct. They are nominations which have been reported by several committees, with the support of both Democratic and Republican Members. They have been cleared with the majority and minority leaders.

Mr. MAGNUSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. Mr. President, after consultation with a number of Senators, I ask that the nominations in the Export-Import Bank be passed over temporarily.

The VICE PRESIDENT. Without objection, the nominations in the Export-Import Bank will be passed over.

The other nominations on the Executive Calendar will be stated.

#### UNITED NATIONS

The legislative clerk read the nomination of Albert F. Nufer to be a representative of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. WELKER. Mr. President—

The legislative clerk read the nomination of Samuel M. Brownell, to be a representative of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Mrs. Elizabeth E. Heffelfinger to be a representative of the United States of America to the eighth session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization.

Mr. WELKER. Mr. President, reserving the right to object, I should like to have some information with respect to the gentleman whose nomination is being considered. I should like to know in which State he lives, what his accomplishments are, and so forth.

The VICE PRESIDENT. The nominee to which the Senator has reference is a lady.

Mr. WELKER. I did not hear what the Vice President said.

The VICE PRESIDENT. The Senate is considering the nomination of Mrs. Heffelfinger.

Mr. WELKER. I am sorry. May we have order in the Senate. I cannot hear what is going on.

The VICE PRESIDENT. The Senate will be in order. The Chair informs the Senator from Idaho that the nomination under consideration is that of Mrs. Elizabeth E. Heffelfinger. Does the Senator from Idaho desire to have some information concerning Mrs. Heffelfinger?

Mr. WELKER. Yes; I should like to know the State of her residence and her background, and so forth.

The VICE PRESIDENT. Does the Senator from Minnesota desire to give that information?

Mr. THYE. I am delighted to inform the Senator from Idaho. Mrs. Heffelfinger is the wife of P. V. Heffelfinger. She is a mother and an outstanding citizen of Minnesota. I could not conceive of anyone on the Republican side of the aisle objecting to Mrs. Heffelfinger being considered for this important assignment.

Mr. WELKER. What is that? From which side of the aisle?

Mr. THYE. From this side of the aisle. I said I could not believe that any Senator on this side of the aisle could object to Mrs. Heffelfinger's confirmation. I could go into great detail with respect to her nomination and with respect to her qualifications, but I do not believe it should be necessary.

Mr. WELKER. I have complete confidence in my distinguished friend from Minnesota. I have no objection.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Athelstan F. Spilhaus to be a representative of the United States of America to the eighth session of the general conference of the United Nations Educational, Scientific, and Cultural Organization.

The VICE PRESIDENT. Without objection the nomination is confirmed.

#### ATOMIC ENERGY COMMISSION

The legislative clerk read the nomination of Willard Frank Libby, to be a member of the Atomic Energy Commission.

The VICE PRESIDENT. Is there objection?

Mr. KEFAUVER. Reserving the right to object—and I shall not object—I should like to make a brief statement in connection with this nomination. The appointment of Dr. Libby has been held up because of my objection to his confirmation. I did not object to Dr. Libby because of any lack of qualifications from a scientific standpoint. He is a fine scientist. My objection was based solely on the fact that he favored the Dixon-Yates contract and then, in examination before the committee, clearly showed and admitted that he knew nothing about the contract or about the power brokerage business. I said that as long as AEC was being forced into the power brokerage business and

as long as AEC was being used by this administration as a broker of power for the TVA, we would just have to see that Commissioners are qualified not only from a scientific standpoint but also from the standpoint of knowledge of the power brokerage field.

I am withdrawing my objection now. I am informed that the AEC may not be able to have a quorum for business during the adjournment of Congress unless new commissioners are confirmed. I furthermore believe that Dr. Libby may not be so pleased with the power brokerage fields into which the AEC has been injected and I hope that he will use his influence as a commissioner against further adventures in that direction.

It is obviously not possible for the AEC to get men qualified in both the scientific and power brokerage fields. I knew that at the time I made my objection, but I wanted to emphasize the ridiculous nature of the Dixon-Yates deal, the misuse of a vital agency, the AEC, to hamstring another vital agency, the TVA.

I do not think the TVA ought to be in the atom-splitting field.

I do not think the AEC ought to be in the power brokerage field.

Having emphasized that point, I will no longer stand in the way of the AEC having on its commission men best qualified to perform its primary function, namely the scientific function of developing atomic energy.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. HICKENLOOPER. Mr. President, I do not care to hold up the Libby nomination, but I should like to make a statement about another nominee, Dr. Von Neumann, whose name has been sent to the Senate by the President. I do not know whether this is the proper time to make the statement, or whether I should make it after the Senate acts on the confirmation of the nomination of Libby.

Mr. KNOWLAND. Mr. President, I suggest that the only nomination which is before us is the Libby nomination.

Mr. HICKENLOOPER. Mr. President, for the information of Senators, 2 nominations to the Atomic Energy Commission were sent to the Senate, and if action is taken on 1, I think the people of the country are entitled to know that there is nothing against the confirmation of the nomination of the other man.

The VICE PRESIDENT. Without objection, the nomination of Willard Frank Libby is confirmed; and, without objection, the Senator from Iowa may make his statement.

Mr. HICKENLOOPER. Mr. President, with reference to Dr. Libby, whose nomination has just been confirmed, he was nominated after the recess of the Senate, and after the House had adjourned sine die. He took the oath of office and became a Commissioner in fact. Therefore, he has been acting since that time. Certain complications or legal questions might have been raised had the Senate not gone through with the confirmation of the nomination at this session. I do

not say that they are significant, but other Senators may think there is something to them. Nevertheless, it is desirable that the nomination be confirmed at this time.

Dr. John von Neumann, who is one of the leading, if not the leading, theoretical mathematicians in the world, has also been nominated by the President for the position of Commissioner. Certain delays occurred, understandably, in the meeting of the Senate section of the Joint Committee on Atomic Energy. The nomination of Dr. Libby was taken up, and a considerable amount of time was consumed in arranging for a hearing on his nomination. The adjournment of the Senate occurred, and there was almost no time to give any serious or substantial consideration to the nomination of Dr. von Neumann. I think it is agreed that the practicalities of the situation preclude any kind of an adequate hearing, and I believe, in the interest of Dr. von Neumann, I should say, at least for the record, that there are certain reasons why the confirmation of his nomination at this particular moment is not so essential as is the confirmation of the nomination of Dr. Libby. It is a matter of mechanics; and by no stretch of the imagination would I want anyone to think that a failure of the committee to give adequate consideration to the nomination of Dr. von Neumann is any reflection of any kind, type, or description on him. It is, as I say, a matter of mechanics; it is a matter of the tensions of the moment; it is a matter of the desire of everyone to get away. We could not begin hearings until tomorrow, and we shall be in adjournment tomorrow.

I merely make that explanation to indicate that no one should draw the slightest inference from the fact that both nominations are not on the calendar.

The Senator from New Mexico [Mr. ANDERSON] and I have discussed it at considerable length, and I hope he will verify my statement along that line.

Mr. ANDERSON. Mr. President, will the Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. ANDERSON. Mr. President, I thoroughly confirm the statement which the Senator from Iowa has made.

The VICE PRESIDENT. The clerk will state the next nomination on the Executive Calendar.

#### DIPLMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Gerald A. Drew, of California, to be an Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

Mr. KNOWLAND. Mr. President, I ask that this nomination and the other nominations in the Diplomatic and Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Diplomatic and Foreign Service are confirmed en bloc.

#### FOREIGN OPERATIONS ADMINISTRATION

The legislative clerk read the nomination of Christian A. Herter, Jr., of Massachusetts, to be General Counsel, Foreign Operations Administration.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### DEPARTMENT OF DEFENSE

The legislative clerk read the nomination of Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense.

Mr. WELKER. Mr. President, reserving the right to object, I remember that a few years ago the distinguished senior Senator from North Dakota rose upon the floor of the Senate and asked various questions as to why it was that North Dakota never received recognition by appointment of any of its citizens. The people of Idaho are not begging, but I resent very much the fact that day after day and year after year during this administration I have yet to see one person from Idaho appointed to any important position, and for that reason I object.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. KNOWLAND. Since the nomination is on the calendar and has, under the rule, laid over for a day, it is not subject to a single objection, is it?

The VICE PRESIDENT. That is correct. A single objection will not carry over the nomination.

Mr. WELKER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The question now is, Will the Senate advise and consent to the nomination? An objection, ordinarily, puts the nomination over to another day. In this instance, since it comes over from a previous day, an objection does not have that effect, and the nomination now comes before the Senate for a vote of the Senate.

Mr. KNOWLAND. In other words, Mr. President, it is not done under unanimous consent, but by majority vote of the Senate.

The VICE PRESIDENT. That is correct.

The question is, Will the Senate advise and consent to this nomination?

The clerk will restate the nomination.

The legislative clerk read the nomination of Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense.

Mr. LANGER. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LANGER. Nominations are subject to debate, are they not?

The VICE PRESIDENT. They certainly are.

Mr. LANGER. Mr. President, I was interested in the observation of the Senator from Idaho [Mr. WELKER]. The senior Senator from North Dakota was not only objecting some months ago to the fact that North Dakota had never



been recognized in any of the top positions, but he was speaking at that time for all the small States of the Union.

Mr. President, I have looked up the record and I find that Arizona was admitted to the Union on February 14, 1912. It has never had a citizen on the Supreme Court. No one from Arizona has ever been nominated for a Cabinet position since 1912.

We come, now, to the State of Florida. Florida was admitted into the Union on March 3, 1845, 109 years ago, and, yet, during those 109 years, the State of Florida has never had a citizen nominated for the Supreme Court or for any Cabinet position.

We come, now, to the State of Idaho, to which my distinguished friend had reference a moment ago. Idaho came into the Union on July 3, 1890, 64 years ago. I invite attention to the fact that during the Roosevelt administration at one time six members of the Cabinet came from the State of New York. I wish to compliment the distinguished Senator from Idaho for raising this objection. Sixty-four years have gone by and not a person from the State of Idaho has ever been on the Supreme Court or has been a Member of the Cabinet.

We come to the State of Montana. Montana was admitted into the Union in 1889. It has never had one of its citizens in the Cabinet or on the Supreme Court.

We come to the State of Nevada. I see the distinguished Senator from Nevada [Mr. MALONE] on the floor. Nevada was admitted into the Union on October 31, 1864, 90 years ago; yet the State of Nevada has never been recognized at any time as have been some of the larger States. No one from Nevada has ever been nominated for the Supreme Court or for the Cabinet.

We come next to the State of North Dakota, which was admitted to the Union on November 2, 1889. South Dakota was admitted on the same day. Neither State has ever had a person nominated either to the Supreme Court or to the Cabinet.

So far as I am concerned, I now serve notice that when the nomination of Judge John Marshall Harlan to the Supreme Court of the United States is considered by the Senate, I shall fight the nomination, not because Judge Harlan may not be qualified, but because I believe the time has come in the Senate when Members representing the so-called smaller States and their constituencies, should get together to make certain that their constituents also receive some recognition.

The population of Arizona is 859,000. Florida's population is 3,100,000, one-fifth the population of the State of New York. One hundred and seven years have gone by, and Florida has never had a man or a woman nominated to the Supreme Court or the Cabinet. Yet, as I said a moment ago, New York had six members in the Cabinet at one time.

The population of Idaho is 608,000; the population of Montana is 591,000; Nevada's population is 180,000; the population of North Dakota is 600,000;

the population of South Dakota is 664,000. The total population of all those States is approximately one-half that of the population of the State of New York, which is 15,179,000.

Certainly I believe Senators representing the smaller States have a right to appeal to the Senate to make certain that before we consent to the confirmation of the nominations of some of these persons to high places, the smaller States also should be recognized.

When January comes, and the Senate meets again, the senior Senator from North Dakota will be here, fighting, with the Senator from Nevada [Mr. MALONE], the Senator from Idaho [Mr. WELKER], I hope the Senator from Florida [Mr. HOLLAND], the Senators from South Dakota, and the Senators from Arizona, to make certain that the small States receive proper representation, the representation to which they are entitled.

Mr. WELKER. Mr. President, it was called to my attention a moment ago that I made a grievous error when I stated that I had never seen the name of an Idahoan on the executive calendar. I believe I am not quite so dumb as to think that the sovereign State of Idaho would be without a Federal judge, a United States district attorney, or a United States marshal. But, like the distinguished and able Senator from North Dakota, I am tired, sick, and disgusted with the idea that every one of these important positions should go to New York, Massachusetts, Connecticut, California, or other States on the eastern seaboard. I do not admit for one moment that those sections of the country have a monopoly upon intelligence in the United States.

We have some Republicans in Idaho, as the persons who make these nominations will note if they take a little look at the record. Let them look at it when they come to give out political patronage, instead of going to places elsewhere.

In deference to my dear friend, the able majority leader, whom I respect and admire very much, I shall not continue any longer on this subject. But I serve notice now—and this statement can go down to the other end of the Avenue—that should any more nominations be received in the Senate, and should the small States be overlooked, as they have been for years and years—I think the Record shows that Idaho had one sub-Cabinet member, but Mr. Ickes fired him in a couple of weeks—I shall be here speaking as I am now, and losing, as I have been all day.

But out of deference to my dear friend, the able majority leader, who has nothing to do with this, I withdraw any objection I have.

The VICE PRESIDENT. Without objection, the nomination of Mr. Burgess is confirmed.

Mr. JOHNSTON of South Carolina. Mr. President, I notice that the nomination which has been under discussion is that of Carter Lane Burgess. On page 2 of the Executive Calendar the nomination of John E. Peurifoy to be Ambassador to Thailand appears. Both of these nominees are from South Carolina.

I will admit that so far as South Carolina is concerned, the President of the United States had to look a long time before he could find Republicans there—and I doubt whether either one of these persons is a Republican, if it is desired to come to that question. But I believe both of these nominations are good ones.

#### DEPARTMENT OF THE AIR FORCE

The Chief Clerk read the nomination of David S. Smith to be Assistant Secretary of the Air Force.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### DEPARTMENT OF THE NAVY

The Chief Clerk read the nomination of Rear Adm. Frederic S. Withington, United States Navy, to be Chief of the Bureau of Ordnance, Department of the Navy, for a term of 4 years.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### ROUTINE FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the routine Foreign Service.

Mr. KNOWLAND. Mr. President, I ask that the nominations in the routine Foreign Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

#### UNITED STATES CIRCUIT JUDGE

The Chief Clerk read the nomination of Walter M. Bastian to be United States circuit judge for the District of Columbia circuit.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### UNITED STATES DISTRICT JUDGES

The Chief Clerk read the nomination of Joseph Charles McGarraghy to be United States district judge for the District of Columbia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Lamar Cecil to be United States district judge for the eastern district of Texas.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### UNITED STATES ATTORNEYS

The Chief Clerk read the nomination of Phil M. McNagny, Jr., to be United States attorney for the northern district of Indiana.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of Leon P. Miller to be United States attorney for the Virgin Islands.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John R. Morris to be United States

attorney for the northern district of West Virginia.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

#### UNITED STATES MARSHALS

The Chief Clerk proceeded to read sundry nominations of United States marshals.

Mr. KNOWLAND. Mr. President, I ask that the nominations of United States marshals be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

Mr. JOHNSON of Texas. Mr. President, I wish to make a brief statement while the Executive Calendar is still being considered.

The minority leader has checked very carefully with the minority members of the committee each nomination that has been reported to the Executive Calendar. There is no nomination on the calendar as to which objection has been brought to my attention.

At the beginning of this special session, an agreement was had with the majority leader that an opportunity would be offered to every Senator who desired to avail himself of the opportunity to question any prospective nominee before the nomination was reported to the Senate.

At the beginning of the session, following that agreement, I presented our conclusions to the Democratic policy committee, and we took the position that no controversial nominations should be considered at this session, which had been called for the purpose of acting on the report of the select committee. We thought that nothing should be allowed to intrude into the very serious matter before us, particularly when the Senate was meeting in the mornings and late in the afternoons.

That position, however, did not extend to noncontroversial nominations. The minority had no desire to block confirmation merely for the sake of obstruction or in anticipation of an improved legislative position in January.

There would have been ample precedent had the minority elected to take the course of obstruction. But because of the reasoned policy and because of the always extended desire of the minority leader to cooperate with the majority, we did not follow that course.

I think some Members may recall the special session which was held in July 1948, and which extended into August, a session controlled by my good friends on the other side of the aisle. To that session the then President of the United States submitted 10,213 nominations. They covered a wide variety of positions, including Secretary of Labor, Undersecretary of Agriculture, Federal judgeships, military offices, and many routine nominations.

For some reason, the special session of the 80th Congress refused to act on a single nomination—not even the nomination of our present President's brother, Milton S. Eisenhower, to the United Nations. I have no doubt that the motives

of my colleagues on the other side of the aisle were pure. But whatever the reason, it was a precedent, a precedent which we in the minority today are perfectly willing to forego—that is, to forego so long as the policy laid down by the majority leader is followed, namely, that every member of the minority and majority shall have ample opportunity to question the prospective nominees before being called upon to support their nominations. Today there are 422 nominations on the calendar, and there are more than 10,000 on the desk awaiting action and not printed. The nominations have been made by the President. They have been checked in accordance with the policy laid down by the majority leader. They are all noncontroversial so far as the minority is concerned, and there is a reasonable justification, I think, for their immediate confirmation.

There are some nominees, I am sure men of stature, men of qualifications, men who are unknown to some members of the committees whose nominations are not on the calendar; but that does not necessarily cast any reflection on them. It merely means that in the short time we have, we could not have committee meetings, and cause those persons to undergo extensive interrogation.

Mr. President, we are willing to confirm every nomination on the calendar. We wish the nominees Godspeed, and we give them our assurance that what is now the minority will always be cooperative, regardless of the circumstances.

#### PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Public Health Service be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Public Health Service are confirmed en bloc.

#### UNITED STATES AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the United States Air Force.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Air Force be confirmed en bloc.

Mr. STENNIS. Mr. President, will the Senator yield?

Mr. KNOWLAND. I yield to the Senator from Mississippi.

Mr. STENNIS. Mr. President, there are included in the nominations in the Air Force 20 or 25 general officers, that is, of the rank of brigadier general or above, and I understand the number is above that prescribed in the formula which has been adopted by the Committee on Armed Services. Unfortunately, I could not attend the committee meeting yesterday. I had no prior notice that these nominations were coming up today, but I am not going to object to the confirmation of the nominations. The

formula we have in the committee may not provide for a sufficiently high number. It may be that the formula fixing the number of general officers the Air Force should have is too low, in view of the extended program; but I wish to serve notice that I am not waiving the idea that this matter should be looked into and should be evaluated again.

The nominations met the requirements of the committee members who were present in the committee when they were considered, and I am not going to object now, or oppose the nominations; but I want to make it clear that I shall not agree on such nominations generally until the formula is looked into and revalued.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield to the Senator from Massachusetts, the distinguished chairman of the Committee on Armed Services.

Mr. SALTONSTALL. I am in hearty agreement with what the Senator from Mississippi has said. As I told him yesterday in private conversation, the nominees exceed the so-called Stennis formula by 22, but the number is beneath the limit set under the law by 23. The Air Force is being increased by about 30,000 men. I agree with the Senator that the survey which the Senator made a few years ago provides for too low a number, and is now really out of date. I want him to know that we have recommended that the next committee make a resurvey in January.

Mr. STENNIS. I appreciate the statement of the Senator from Massachusetts. The Senator from Mississippi had not understood that the recommendation had been made. I have no objection.

The VICE PRESIDENT. Without objection, the nominations in the United States Air Force are confirmed en bloc.

#### REGULAR AIR FORCE

The Chief Clerk proceeded to read sundry nominations in the Regular Air Force.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Regular Air Force be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Regular Air Force are confirmed en bloc.

#### MARINE CORPS AND NAVY

The Chief Clerk proceeded to read sundry nominations in the Marine Corps and the Navy.

Mr. JOHNSON of Texas. Mr. President, are those the nominations which are on the desk and which were not printed on the calendar?

The VICE PRESIDENT. That is correct.

Mr. JOHNSON of Texas. May I make inquiry as to how many names are contained in the list at the desk?

The VICE PRESIDENT. Ten thousand and thirty.



Mr. JOHNSON of Texas. I thank the Chair.

Mr. KNOWLAND. Mr. President, I should like to say that the nominations were sent to the desk, and were cleared through the committee in the same way the others were handled.

Mr. SALTONSTALL. Mr. President—

Mr. KNOWLAND. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. What the Senator says is correct, and no general officers are included in the nominations. The nominations for promotions are in the Marine Corps and the Navy, and they are all routine promotions.

Mr. KNOWLAND. Mr. President, I ask that the nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Marine Corps and the Navy are confirmed en bloc.

#### MISSISSIPPI RIVER COMMISSION

Mr. KNOWLAND. Mr. President, I yield to the distinguished Senator from Pennsylvania, the chairman of the Committee on Public Works.

Mr. MARTIN. Mr. President, as chairman of the Committee on Public Works, I should like to state that the committee has taken up with every member of the committee the nominations of Brig. Gen. Charles G. Holle and Brig. Gen. William E. Potter to be members of the Mississippi River Commission. I conferred with the distinguished Senator from New Mexico [Mr. CHAVEZ], the distinguished Senator from Mississippi [Mr. STENNIS], and the distinguished Senator from Tennessee [Mr. GORE], and they recommended that the nominations be confirmed. I discussed the nominations with every member of the committee.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. MARTIN. I yield.

Mr. JOHNSON of Texas. Are they the same nominations concerning which we conferred about 3 weeks ago?

Mr. MARTIN. Yes.

Mr. JOHNSON of Texas. Mr. President, the very fine and able chairman of the Committee on Public Works always handles correctly matters before his committee, and we certainly have no objection to the nominations. We enthusiastically endorse the nominees the Senator has mentioned.

The VICE PRESIDENT. Without objection, the nominations to the Mississippi River Commission are confirmed.

#### ROUTINE FOREIGN SERVICE

Mr. KNOWLAND. Mr. President, I yield to the Senator from New Jersey, acting chairman of the Committee on Foreign Relations.

Mr. SMITH of New Jersey. Mr. President, as acting chairman of the Committee on Foreign Relations, I wish simply to have added to the list of nominations to the routine Foreign Service the nomination of Elbridge Durbrow, of California, and others, which list was not drawn up in time yesterday to have the

names appear on the calendar. The committee met this morning. Every member of the committee has been canvassed concerning the nominations. They are merely routine appointments. I ask unanimous consent that these nominations may be added to the list of the other nominations on the calendar and that they be confirmed.

The VICE PRESIDENT. Without objection, the nominations in the Foreign Service will be confirmed en bloc.

#### POST OFFICE NOMINATIONS

Mr. KNOWLAND. Mr. President, I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to take this opportunity to answer the inquiry as to why there are no postmaster nominations on the list. I conferred with the minority and majority leaders, and with representatives of the majority and the minority on the Committee on Post Office and Civil Service. It was felt at first that there was time to investigate postmaster nominations, but there were 300 such nominations submitted, and it was agreed unanimously among those who conferred on the matter that the nominations be held over until January.

Mr. KNOWLAND. I thank the Senator from Kansas, who, as chairman of the Committee on Post Office and Civil Service, has always been very cooperative and fair.

Mr. JOHNSON of Texas. Mr. President, I wish to join in what the majority leader has said about the chairman of the Committee on Post Office and Civil Service [Mr. CARLSON]. No Member of the Senate has been more cooperative with the minority than has the distinguished chairman of that committee. I wish to assure him that, whether we are in the majority or in the minority, we shall continue to have cooperative relations with him.

Mr. CARLSON. I wish to state to the minority leader that I have had the finest help from the minority. As a matter of fact, I think I am authorized to make the statement to the Senator from South Carolina [Mr. JOHNSTON] and the Senator from Oklahoma [Mr. MONROE] that after the beginning of the year there will be no disposition to object to nominations that are put through in the regular way. I think that is a tribute to them.

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of the nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be immediately notified of the confirmation of the nominations.

Mr. KNOWLAND. Mr. President, before the Senate resumes legislative session, I should like to say a word. A number of nominations in several of the departments and commissions were sent to the Senate by the President. In conformity with the understanding I had with the minority leader when the Senate first came back into special session, it was agreed, and I thought the request

was a reasonable one, that when there was a desire on the part of either the majority or the minority members on the committees to have hearings, and to have the nominees appear before them, in order to clear up any matters which it was desired to clear up, that would be a reasonable thing to do, and that it would be only the nominations which came out of committees with the support of both the minority and the majority which we would seek to have confirmed this year.

I wish to express my appreciation to the minority leader of the Senate and the members of the minority, as well as those of the majority, for the very fine cooperation we have had in clearing promptly executive nominations which have been sent to the Senate, and having them stay on the calendar for a shorter period of time than probably has occurred in recent years in our country's history.

Mr. President, I wish to say that whether we shall be in the minority, as now seems likely, or whether we shall be in the majority, at the next session, I hope and I know we shall have the same splendid cooperation. As a matter of fact, just a few hours ago I once again became a majority leader without a majority when the new Senator from Nevada [Mr. BIBLE] was sworn in, which left us with 47 Republicans, 48 Democrats, and 1 Independent, as is now the case.

I wish to express my appreciation to the minority Members—and I think it entirely proper to mention this—in view of certain precedents which were created in the last session of the 80th Congress. Let me say with complete candor and the greatest friendship that they are not the only precedents we have, because I have a faint recollection—although it was a long time before my arrival in the Senate—that in 1930, after the Republicans lost control in the Congress, President Hoover had a few problems with some nominations at that time. However, I think we do not serve any useful purpose by rehashing old history. Instead, Mr. President, I prefer to look to the future.

I am sure we can carry on and continue with the very fine cooperation we have enjoyed during this session. It will be most necessary that the cooperation continue, for no one knows what great problems may arise to affect our country during the 2 years the 84th Congress will be in existence; and I believe we shall have to face the problems as American citizens, rather than as narrow partisans. If we can continue in the same spirit which Senators have shown during the past session, I know the Government of the United States will continue to function in an orderly fashion, as was intended by the framers of the Constitution.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

The PRESIDING OFFICER (Mr. CARLSON in the chair). Does the Senator from California yield to the Senator from Texas?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Mr. President, again I wish to remind the distinguished majority leader that it will take a great deal more than a change of 2 or 3 Senators on either side of the aisle to affect the very genuine friendship, respect, and admiration I entertain for so honorable a man as the one who now occupies the position of majority leader of the Senate—a man of deep conviction, a man of great sincerity, who at all times is actuated by only one purpose, namely, what is best for his country. Although we may differ on matters, and frequently do, we never differ about how we feel toward each other.

I wish to suggest to the majority leader that he review the record, because although I was not a Member of Congress in 1930, I was around the Capitol, either in the galleries as a doorkeeper, or as a secretary, or while engaged in work in the House of Representatives; and, as I remember—although that was a long time ago—the Democrats did obtain control of the House of Representatives, but the Republicans were still responsible for the confirmation of nominations in the Senate.

#### LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I now move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

#### REPORT OF SPECIAL COMMITTEE TO INVESTIGATE FACTS ON MAIL COVER OF SENATORS

Mr. FERGUSON. Mr. President, on yesterday the Senate referred to the senior Senator from Georgia [Mr. GEORGE] and myself, as a special committee, a resolution calling for an investigation in relation to mail covers in connection with the mail of Senators, including the mail of the junior Senator from Wisconsin [Mr. MCCARTHY]. That matter arose in connection with the previous investigation.

I now report to the Senate that today we have sworn many witnesses and have conducted an investigation, which took until 6 p. m. today. It would be impossible for us to write a report and file it before the end of the present session. We expect that we shall be able to file the report tomorrow, with the Secretary of the Senate.

Therefore, Mr. President, on behalf of the Senator from Georgia and myself, I ask unanimous consent for leave to file the testimony and the exhibits at a later date, as soon as the stenographers can write up the testimony; and that then we may make such recommendations as we deem appropriate under the resolution, and that the Senate may take such steps as it may desire in regard to the printing of the committee hearings.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. JOHNSON of Texas. Does the distinguished senior Senator from Georgia [Mr. GEORGE] join in the request the Senator from Michigan has just made?

Mr. FERGUSON. Yes; he does, I am sure. He has just left.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Michigan? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President, I now send to the desk a proposed order which I ask to have read; and I request its immediate consideration.

The PRESIDING OFFICER. The proposed order will be read.

The legislative clerk read as follows:

I ask unanimous consent that the special committee to investigate and report the facts on mail covers of Senators, pursuant to Senate Resolution 332, be authorized to file a report with the Secretary of the Senate during the sine die adjournment of the Senate.

Mr. KNOWLAND. Mr. President, this has been discussed with the minority leader.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California? The Chair hears none, and the order is entered.

#### PRINTING OF FINAL ISSUE OF THE CONGRESSIONAL RECORD

Mr. KNOWLAND. Mr. President, I ask unanimous consent that Senators shall have the privilege, until 10 days after the adjournment sine die of the Senate, of making insertions in the CONGRESSIONAL RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE ECONOMIC CONFERENCE AT RIO DE JANEIRO

Mr. JOHNSON of Texas. Mr. President, I am informed that this is the last day of the important economic conference at Rio de Janeiro. This is a meeting of extreme significance for the future of inter-American relations.

It appears that some vital decisions have already been reached—decisions which will place inter-American economic cooperation on the basis of a two-way street—an operation in which everyone will have a part.

I do not think we should allow this day to pass without recognizing the important contribution made to this conference by the congressional delegates. They included the distinguished chairman of the Senate Foreign Relations Committee [Mr. WILEY], the chairman of the Senate Banking and Currency Committee [Mr. CAPEHART], the junior Senator from Florida [Mr. SMATHERS], and the gentleman from the House Foreign Affairs Committee [Mr. FULTON].

These men, I am informed, brought to the conference the knowledge of our domestic situation that is too frequently lacking. They represented the view-

point of America vigorously and ably. I think they made a distinct contribution to the understanding of our Latin American neighbors of our own attitude.

I am very proud to have had the opportunity to nominate one of the delegates—the junior Senator from Florida. I know of few men in this Chamber who have exhibited greater enthusiasm and greater intelligence in seeking to promote Western Hemispheric solidarity than have both distinguished Senators from the State of Florida, the junior Senator [Mr. SMATHERS] and his colleague, my beloved friend [Mr. HOLLAND].

It is my belief that the congressional delegation—both from the House and the Senate—added materially to whatever success this conference has had and that we owe our colleagues deep thanks for their work.

#### GODSPEED TO DEPARTING SENATORS

Mr. JOHNSON of Texas. Mr. President, we are in the closing hours of the 83d Congress and I want to take this opportunity to say "Godspeed" to some Members who will not be with us in the next Congress.

One of the true rewards of service in the Senate is the friendship that exists between the Members. Over the years I have been stimulated and inspired by my close connections with Members on both sides of the aisle.

On politics, we are divided. But in our personal loyalties and our personal feelings I think there are few divisions.

One of the Members who is retiring is a man who has been a good friend and counselor to practically all of us. I am referring to Big Ed JOHNSON—Mr. Wisdom, as some of us have called him—who is going back to his home State of Colorado to occupy the Governor's mansion.

I think that all of us will feel a deep sense of loss over this parting. Big Ed is the man of sense—the man who has always exercised a restraining influence over those of us who become too impulsive and those of us who frequently depart from the paths of prudence out of an excess of zeal. We will miss the senior Senator from Colorado and the Nation will miss him. Our loss is tempered only by the tremendous gain of the people of Colorado.

We shall feel an equal sense of loss over other Members who are departing.

My good and trusted friend, Guy GILLETTE, has served with us for many years. His dignity and his statesmanship—particularly in the realm of foreign affairs—has been a guiding beacon for both Democrats and Republicans. He has served with distinction and with integrity, and I shall always treasure our personal association. I shall be calling upon him for advice and counsel in the years to come no matter where he may be.

From a personal standpoint I shall also miss my associates on the other side of the aisle. I look upon the senior Senator from Michigan [Mr. FERGUSON], the senior Senator from Oregon [Mr. Cor-



don], and the junior Senator from Kentucky [Mr. COOPER] as friends. I never permit political differences to govern my friendships.

These men have all served in this body with integrity and with ability and I shall miss my opportunity for daily association with them.

They are honorable gentlemen, and I hope they will always include me among those who wish them well and hope that their personal fortunes will prosper as they deserve.

Because of his brief service, I have not had the opportunity for extended association with the junior Senator from South Carolina [Mr. DANIEL]. He has sat in the front row with me. I have never formed a deeper affection for any man in such a short time as I have formed for the distinguished Senator from South Carolina.

I also wish to express my regret at the departure of the distinguished lady from Nebraska [Mrs. ABEL]. I have enjoyed my brief association with her, and wish her Godspeed.

I have always considered service in the Senate of the United States the highest honor that can befall any man. To my mind those who are leaving this year carry with them all that distinction and all that honor and also bear my deep respect and affection.

#### ORDER FOR ADJOURNMENT SINE DIE

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate has completed its deliberations this evening, it stand in adjournment sine die.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there objection? The Chair hears none, and it is so ordered.

#### CLOSING STATEMENT BY THE MAJORITY LEADER

Mr. KNOWLAND. Mr. President, I should like to say a word relative to several of our colleagues on both sides of the aisle with whom I have served in the Senate.

HOMER FERGUSON came to the Senate in 1943. He has served ably and well in his capacity as a Senator from the great State of Michigan. As a Senator he has held a ranking Republican position on the Committee on Appropriations. He has also served as an able member of the Committee on Foreign Relations, and as chairman of the Republican policy committee.

I have found him to be an industrious and able Senator. I shall personally greatly feel his loss in the next session.

Senator GUY CORDON and I have served together on the Committee on Appropriations for a number of years. He is the ranking Republican member on the Subcommittee on Civil Functions of the Committee on Appropriations, of which I have the honor to serve as chairman. In turn, I am the ranking Republican member of the Interior subcommittee of the Appropriations Com-

mittee, of which he serves as the able chairman.

This is the second Congress in which Senator JOHN COOPER, of Kentucky, has been with us in the Senate, and I hope that it will not be the last one. He is a man of deep convictions with an ardent desire to serve his country. He has served with great distinction both under a Republican administration and under a Democratic administration. He is a comparatively young man, and I know that he will serve his country and his State well for many years to come.

I would not wish, as majority leader of the Senate, to let the opportunity pass without also making reference to a number of Senators on the other side of the aisle, whom we shall also miss in the next session of Congress.

Those of us who have been privileged to serve with Senator JOHNSON of Colorado have considered it a great and pleasant experience. He has been friendly. He has been interested in the problems of the West and of the Nation. He has been helpful to all Members of the Senate, without regard to the side of the aisle on which they happen to sit.

Mr. President, I am about to yield the floor to the distinguished Senator from New Jersey [Mr. HENDRICKSON], with whom I have had the opportunity to serve in the Senate during the past 6 years. I have known him for a longer period of time than that, and have counted him as one of my close personal friends. I hope that as the years go by he will also find the opportunity to give many more years of service to his country and to his State.

I hope that all Members of the Senate, when they leave us, will remember to come back and visit with us.

We have had with us also some newer Members of the Senate, including the distinguished Senator from Nebraska [Mrs. ABEL], who has been with us for only a short time. I know that those of us who have had an opportunity to become acquainted with her have enjoyed the experience, and we hope that she, too, now that she is a Member of this club, will find an opportunity to visit us.

The distinguished Senator from South Carolina [Mr. DANIEL] has been with us for only a short time, but although we on this side of the aisle have not had the opportunity to get so well acquainted with him as Senators on the other side of the aisle have had, I did have the opportunity to get to know him sometime ago in his own State. I hope that he, too, will carry away from this Chamber the recollection of the spirit which recognizes no center aisle and the knowledge that while we may sometimes, under some considerable emotional stress, differ with each other, when the day is over and the Senate has adjourned, we can meet and greet each other as friends and discuss the many problems in which we have a common interest.

I would not wish this opportunity to pass without also saying a word about GUY GILLETTE. He comes from the State of Iowa. It happens that my mother, who died when I was a year or less old, was born in Iowa, in the little commu-

nity of Cherokee. That is the city from which Senator GUY GILLETTE comes. We have often had an opportunity to compare notes a little, my information being a bit remote, of course. I have had very pleasant associations with him during the period of time I have been in the Senate.

I wish to join the minority leader in his expressions.

I would not wish this opportunity to pass without also extending my deep appreciation to those who do the heavy work of the Senate at the desk, our Secretary, our Sergeant at Arms, and our pages, as well as those who serve both the majority and the minority. Until a man has had the opportunity of serving at one of those desks, he does not realize just how great a burden these men carry, and how important their work is to the functioning of the Senate.

Of course, in what I have said I include also the Official Reporters of debates. I, who have been in the newspaper business, consider it almost a miracle the way these men, working long hours and under very trying conditions, in the stress of debate, with 2 or 3 or more Senators talking at the same time, manage to write it all, and then sometimes even make it all read much better than we said it on the floor. We do indeed owe them a great debt of gratitude.

I wish to express our appreciation also to those who work in the Government Printing Office, who during the session, night after night, long after we have gone home, print the CONGRESSIONAL RECORD. When we leave our homes in the morning we always find a copy of the CONGRESSIONAL RECORD for our perusal.

To all these persons I wish to say, now that I am about to pass from the position of majority leader to a minority position, that I deeply appreciate the many courtesies which have been extended to me by them, as well as by Senators on both sides of the aisle, and I shall extend to my friend, the minority leader, the courtesies which he has extended to me during the two years I have been called upon to serve in the capacity of majority leader.

Mr. HENDRICKSON. Mr. President, I wish to take this opportunity to thank the distinguished majority leader for the kind things he has said about me, not only today, but on other occasions, and I wish to say that one of the greatest inspirations of my life has been the privilege of serving under the Senator from California as majority leader. His work in the Senate has been a great example to all of us to follow.

#### CARTER BURGESS

Mr. DANIEL of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a short statement which I have prepared.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

I want to recommend highly the nomination of Mr. Carter Burgess as Assistant Secretary of Defense in Charge of Personnel.

Mr. Burgess is a man of great integrity, of tremendous ability, and with a background of wonderful experience.

I know that he will render outstanding service to the Department of Defense and our Government.

It gives me pleasure to recommend Mr. Burgess without reservation.

#### PROPOSED SALARY INCREASES

Mr. DANIEL of South Carolina. Mr. President, I should like to take this opportunity to thank the majority leader and the minority leader for their kind observations about the junior Senator from South Carolina. I am appreciative to all Members of the Senate for the many courtesies they have extended to me since I have been a Member of this great body. I leave the Senate, tremendously impressed with the vast amount of work accomplished and with the burdensome load which is carried by the leaders of the two great political parties of our country. I am indeed sorry, for one particular reason, that I shall not be here in January, because the first order of business for me would be to urge the Senate to drastically increase salaries for all Members of the Senate, the House of Representatives, the judiciary, and employees of the Federal Government. The people of South Carolina want to pay adequate salaries to those who serve them so well in the Congress, the judiciary, and the Government of the United States. In my opinion, the Senate is the most underpaid organization in America today. If we are to continue having the best brains in this country represent this great country in the Congress and the judiciary, I think that the 84th Congress should make pay increases the first order of business. Businessmen, taxpayers, and citizens of South Carolina would give their full support to such a program as a matter of justice.

#### SPECIAL COMMITTEE TO STUDY TECHNICAL ASSISTANCE PROGRAMS

The PRESIDING OFFICER (Mr. CARLSON in the chair). The Chair appoints the Senator from Arizona [Mr. GOLDWATER] as a member of the special committee on the so-called 4-point programs, created by Senate Resolution 214, heretofore adopted.

#### JUVENILE DELINQUENCY

Mr. HENDRICKSON. Mr. President, during the past 14 months it has been my privilege to serve as chairman of the Senate Subcommittee of the Judiciary charged with investigating juvenile delinquency in the United States. Since I shall not be a Member of this distinguished body when the report of the subcommittee is made to it in January 1955, I feel a responsibility to briefly summarize at this time certain impressions of its work and achievements. This feeling of responsibility does not reflect any desire to assume credit for its work, but grows out of my belief that as its retiring chairman I am in a position to

make certain observations about its accomplishments which it could not modestly make in its own behalf.

An appraisal of accomplishment, to be fair, must be made relative to what could be realistically expected of the subcommittee in the way of achievement. Neither the Senator from Tennessee [Mr. KEFAUVER] or myself in introducing identical resolutions calling for a senatorial investigation of juvenile delinquency expected that action to obliterate the problem from our shores, nor has the subcommittee done so. I am absolutely convinced, however, that its work has made a vast and far-reaching contribution to combating this menacing social problem. And, Mr. President, total gains on the problem have been significant. The problem is not yet whipped, far from it, but I predict, with full awareness of the danger confronting prophets, that 1954 statistics will reveal that the shocking upward spiral of juvenile delinquency which began in 1948 ground to a halt this year. Merely stopping the upward surge, however, is no reason to relax our efforts. We cannot afford to go on paying the grim annual toll that the problem of juvenile delinquency is reaping among our young citizens.

The contributions which the subcommittee has made to total gains are, I believe, multiple. Some have been immediate and concrete in form. Other contributions, perhaps of even greater significance, are imponderable. In some instances, the results of movements started by the subcommittee will not be apparent for some months or even years. This report, therefore, is of necessity sketchy and incomplete.

In terms of volume of work undertaken, the record of the subcommittee is, I believe, impressive. To date, we have examined more than 500 witnesses, reviewed the programs of hundreds of community agencies, made first-hand investigations of both local and interstate problems from coast to coast, conducted hearings in major cities throughout the country, collected statistics, and analyzed scores of studies, statutes, and other pertinent data.

Participation in this varied work has left me with a large number of conclusions—and one that is inescapable, Mr. President, is that there is a vast difference between what is known about the problem and what is done about it. The problem of juvenile delinquency has many causes but it is not so complex as to baffle efforts by intelligent people to come to grips with it. There are here in Washington and in every State and community we have visited numerous community leaders who know ways and means of ameliorating the problem. But there is a gap between what they know and what the community does.

It is my studied and honest opinion, Mr. President, that the subcommittee has served an invaluable role in helping to close that gap throughout the land. I will take the time here to give the Senate only one specific example of the kind of thing I am talking about.

Our hearings in Boston, Mass., revealed widespread drinking by juveniles in a number of downtown bars in that city. They also revealed a failure by the licensing authority to take effective action against establishments dispensing alcoholic beverages to youngsters. This condition was not unknown to the local police. Indeed, it was the police who told us about it. Neither were the good citizens of Boston indifferent to this hazard to the wellbeing of their young. But relatively few of them knew of the condition until it was publicized by the subcommittee's public hearings there. Six months later the subcommittee sent two investigators to Boston to do a recheck on conditions in that city. By that time signs prohibiting sales to minors were conspicuously displayed in all taverns. Waiters were scrupulous in checking the ages of youthful-looking patrons. And not a juvenile could be found at any bar visited. The gap between what was known about a social problem and what was done about it had been closed.

Other community hearings have been held in Washington, in Philadelphia, in Chicago, in Denver, in El Paso, in San Diego, in Los Angeles, and in San Francisco. In every one of those communities, without exception, it would be possible to point to corrective social action which has followed subcommittee revelations.

But there are many and varied conditions contributing to juvenile delinquency which cannot be corrected on a community-by-community basis. These are interstate and national conditions and problems, and to these the subcommittee has given its particular attention. Again, I will limit myself to only an example or two of the kind of problems I refer to.

Juvenile delinquency crosses State borders. A boy runs away from one State to commit delinquencies in another. A girl on probation leaves her home State to reside with other relatives. Two States, side by side, have a combined caseload large enough jointly to support a needed specialized service such as a treatment center for psychotic delinquents, which could be afforded by neither alone. These are the types of problems which the lack of effective machinery for interstate cooperation has made difficult, indeed, impossible, to resolve. Working in cooperation with several national agencies, the subcommittee has helped to formulate the instruments necessary to such interstate work. During this session of the Congress the subcommittee introduced, and in the next session plans to reintroduce, a joint resolution authorizing States to enter into these compacts.

Another example of a problem which cuts across State lines is that presented by certain mass media of communications which dramatize and glamorize crime, vice, lust, and every depraved form of human behavior. The so-called crime and horror comic books represented such a media. At the beginning of its work the subcommittee found that parents throughout the Nation were con-



cerned with this stream of literary filth which was pouring through their children's hands. But there was little the individual parent could do beyond trying to play censor after the child's dimes had been spent. Parents could not shut off the supply.

Following the subcommittee hearings on this problem—and we had 3 days of hearings in New York—responsible publishers and distributors joined together to form a new organization, adopted a code of standards, and appointed a “czar” for its enforcement. Horror comics are outlawed under the code and limitations are imposed on those dealing with crime. It is yet too early to say with confidence that this mechanism will completely solve the problem of crime and horror comics, but, for the first time, American parents at least have reason to hope.

May I depart from my text at this point to say that a special interim report on crime and horror comics will be made to the Senate by our subcommittee within the next few weeks. I strongly urge each Senator to read it. Mr. President, you will be shocked, as indeed I was, to learn that such vile materials have been selling to our American children at the rate of 20 million copies per month.

To return to my thesis, the subcommittee has also uncovered problems which, though primarily local in impact, are national, even international, in character. Southern California is confronted with such a problem relative to the Mexican border city of Tia Juana. That city abounds in every form of human vice, including large-scale narcotics operations and widespread prostitution. Tens of thousands of teenagers from throughout southern California, and often from other States, pour over the border in search of excitement and new thrills. Local authorities can do little with such a problem as this, involving as it does international relationships. As chairman of the subcommittee, I have requested the Navy to consider placing Tia Juana off limits, a step both necessary to the protection of some 80,000 military personnel in that area, and one which would stimulate a cleanup by local Mexican authorities. The Senate, I hope, will have the opportunity to take more pointed corrective action on this problem following submission of recommendations in January.

I have referred thus far to only a few of the many concrete results which have flowed from the subcommittee's work. Let me turn for a moment now to some less tangible and somewhat imponderable effects of the subcommittee's work—effects which in many ways may be of even greater import to the war against juvenile delinquency. The United States Senate enjoys great prestige. The fact that it has singled out the problem of juvenile delinquency for attention has turned the spotlight of public attention upon its causes and cures as never before in our history. This, in turn, has helped to stimulate and strengthen a wide range of remedial activities throughout the country. During the past year programs and projects to combat juvenile delin-

quency have been adopted by hundreds of communities and by thousands of organizations in those communities. Comprehensive studies of the problem of juvenile delinquency have been launched in dozens of cities. Now let me emphasize that I do not contend that our subcommittee was the one and only trigger for all this action, but the subcommittee has been consulted in regard to too many of these projects to discount its important influence.

I will refer to only one more small example of its possible influence. Our subcommittee has recently held hearings to inquire into the extent, if any, that the presentation of crime and violence on television may contribute to the delinquent acts of children. Again this is a subject of great concern to an overwhelming number of American parents. I know not yet what our findings or recommendations in this area may be, but I am unofficially advised that the television industry itself, and it is a responsible industry, is contemplating significant research into the effects of certain kinds of programing as a result of our hearings.

My 14 months' investigation into the problem of juvenile delinquency leaves me with another negative but inescapable conclusion. Delinquency is a problem with which many people, groups, and agencies are concerned. And they should be. As a matter of fact, it is a problem of such great magnitude—of such tremendous importance to the people of this Nation—that more and more people must take an active part in the fight if we are to win. But during our hearings it was forcefully brought home to us, time, and time, and time again, that there is all too often a decided lack of coordination and cooperation among the agencies which are trying to do the job. And this, Mr. President, is true both nationally and in local communities. Not for one moment would I have anyone here take this statement to mean that I have not the highest admiration and respect for the countless thousands of earnest and sincere men and women throughout the country who are fighting in this common cause. But unless all their efforts are brought into focus, there is bound to be duplication of effort. But worse yet, unless all of these good people and organizations work together certain aspects of the problem are bound to be neglected and overlooked.

The subcommittee has tried to do something about this lack of coordination. We have, first of all, focused public attention on this lack of coordination not only through our public hearings but also through questionnaires sent to leaders throughout the country—questionnaires soliciting advice as to how better coordinated efforts could be brought about.

It is very difficult to measure accurately the results of the subcommittee's efforts along these lines. We have had our successes; we have also had, so far, our share of failures. But on the whole I think I can, at this point, report that I see some definite signs of improvement

in this matter of increased cooperation among the agencies and organizations.

Some of the communications we have received indicate to me that our efforts may well be more effective than we have guessed. For example, we have had considerable testimony before our subcommittee concerning the need for the establishment by the Federal Government of a new organization which some of the witnesses called a National Institute of Juvenile Delinquency. Our subcommittee is giving earnest consideration to such a proposal. But in order to get the best thinking on the subject, we sent out hundreds of questionnaires asking for specific recommendations—for pros and cons—on this recommendation. Just recently I received a reply from one city in which all the agencies had gathered together to discuss the questions we had raised. In compiling their answers they were led to see how their recommendations could be put into effect locally, a step which brought about decided improvement in day-to-day working relationships.

Now I must be frank, and I want to be. In some instances, the subcommittee's efforts to spotlight the lack of coordination among the agencies has not had any appreciable effect. One such situation exists right here in the District of Columbia, at Congress' own doorstep. In March, when we submitted our interim report, we stated that in relation to agencies in the District of Columbia—

There is wide lack of effective cooperation. There is also evidence of great friction between these agencies. The latter was quite apparent not only in the charges and countercharges during the hearings but also in their enunciation via the public press both before and after the hearings. With such feelings prevailing, it is obvious that these agencies are not utilizing most effectively their limited resources.

From recent items appearing in the public press, the situation, in the District of Columbia is not a whit different today from what it was a year ago. Cooperation must come about through the earnest desire on the part of all persons involved to get together to do the job. It is hard to legislate cooperation. I hope it will not be necessary. But in view of the situation as it exists and of the responsibility of Congress for the District of Columbia, our subcommittee is seriously considering whether in this case legislation might not be necessary to achieve even the beginnings of cooperation. Children in the District of Columbia whose welfare is peculiarly the responsibility of this Congress should not continue to be innocent victims of pulling and hauling on the part of public officials.

But finding ways and means of uniting battlefronts is not of concern solely to official agencies. A few months ago, the subcommittee called together representatives of some 17 of the largest service and fraternal and veterans' organizations having combined membership of over 9 million persons. When these representatives gathered here in the Capital, we put our challenge squarely to them. We knew that these very worthy organizations were doing a lot

in the field of preventing juvenile delinquency. But we asked them to do more. And we asked them to coordinate their efforts in doing more. I am happy to report that they enthusiastically accepted that challenge. A selected drafting committee, assisted by subcommittee staff, has been hard at work developing the details of a mechanism for continuing cooperation of efforts to combat delinquency among these organizations. Soon I hope this mechanism will become a reality—tangible proof of the efforts of the subcommittee to get a common effort focused on a common goal. Then, I hope, all these great and fine service, fraternal and veterans' organizations will march shoulder to shoulder in a spirit of common endeavor in this all-important fight against juvenile delinquency.

There is one further step we took to seek national coordination of endeavor. Just a few weeks ago we asked 18 of the leading national, public, and private organizations, organizations dedicated to the improvement of services for the prevention and treatment of juvenile delinquency, to gather together. Among those invited were the National Council of Juvenile Court Judges, the American Bar Association, the National Probation and Parole Association, the United States Children's Bureau, the Federal Bureau of Prisons, and the American Public Welfare Association. They all came. They met for a full day and gave us the benefit of their valuable advice and counsel on how national efforts of public and private agencies throughout the country could be harnessed together to pull in the same direction, to eliminate duplication, and to increase their efforts. Many of the valuable suggestions received from that group will, I hope, be incorporated in the subcommittee's recommendations for legislation and action. But one thing surprised me about that meeting. I was told that it was the very first time they had all gathered together. And they expressed the belief that even if nothing further came of that meeting the opportunity provided by the subcommittee for discussing their common problems, as they did that day, would prove invaluable.

Mr. President, I will refer to only one more specific problem given attention by our subcommittee, and that is to the severe problem of juvenile delinquency amongst some of our Indian peoples. I mention it because it is a matter about which our subcommittee, and particularly my distinguished colleague, the Senator from North Dakota [Mr. LANGER], has keen concern. Indian children are entitled to the same kind and degree of guidance and protection that is normal and needful for any other American child. And all too often he is not receiving his just dues. Our hearings revealed living conditions among many Indian groups far worse than the worst slums in the larger cities; that opportunities to earn a living wage by labor, by farming, or by ranching are far less than for other groups—resulting in an average annual income of \$750 per fam-

ily compared to \$2,250 per non-Indian family. Our hearings also revealed that both Federal legislation and administration of the Bureau of Indian Affairs has been too changeable and vacillating to exert any positive influence on the way of Indian life; that our appropriations for health, education, welfare, and administration of law and order has either been too inadequate or too poorly distributed to obtain the best results.

I have not deemed it proper in these remarks to anticipate the subcommittee's report by making specific recommendations on any of the many problems which I have helped to study—problems which in one way or another add their bit to the delinquency toll. But next year the Senate of the United States will be presented with specific legislative proposals as the result of our comprehensive investigation. I fervently hope that this great legislative body will consider seriously each and every piece of recommended legislation. I say this because the Subcommittee To Investigate Juvenile Delinquency, which I have so proudly headed since its inception, has worked diligently and has carefully considered what laws are needed to reverse our national tragedy of youth in trouble. My colleagues on the subcommittee will have devoted countless hours to the consideration of these proposals. And, gentlemen, as I make my final speech on the floor of the Senate, I want to say that when one considers this legislation I want my colleagues to know that my heart and my spirit, the best that is in me, accompany those recommendations.

Now, one final matter. I do not believe there has been a more important Senate investigation undertaken by any group of Senators than that which my colleagues, the Senator from North Dakota [Mr. LANGER], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Missouri [Mr. HENNING], and I have undertaken. In the 14 months that we have been carrying on this all-important task, we have attempted to cover literally scores of casual and contributing factors to the tremendous juvenile delinquency problem. But in 14 months' time, it has not been possible to examine every facet of a problem which is so many rooted.

Consequently, it is my earnest hope that this, the greatest deliberative body on earth, the United States Senate, as has been stated so often in the past few days, will pick up the task I leave and carry through the work begun by my subcommittee. There is no more important undertaking, as far as our domestic problems are concerned, than this. A strong America needs law-abiding citizens. We have no more important resource than our youthful citizens. The President of the United States said the other day that the greatest national resource we have is the children of America. Indeed, I believe that the protection and preservation of this resource merits and deserves a continuing watchdog in the form of a permanent subcommittee of the Judiciary Com-

mittee of the Senate, and I recommend that action to this end be taken.

In conclusion I want to state a final fact. In the years I have been in the United States Senate no work that I have undertaken gave me as much inner satisfaction as my efforts to help curb juvenile delinquency. I wish to thank each and every Member of the Senate for granting me the opportunity to carry on so satisfying an undertaking. When in the next Congress my colleagues have the opportunity to renew the work of the subcommittee and to pass laws the subcommittee recommends, they too can share the profound satisfaction of thereby serving our American youth.

Mr. President, I yield the floor.

Mr. KNOWLAND. Mr. President, I yield to the distinguished acting minority leader, the junior Senator from Texas [Mr. DANIEL].

Mr. DANIEL of Texas. Mr. President, on behalf of the minority leader [Mr. JOHNSON] and myself, I wish to compliment the Senator from New Jersey [Mr. HENDRICKSON] on his fine report, his speech, and the work of his committee. We shall miss him in the next session of the Senate, and we are sorry that he will be leaving.

Mr. HENDRICKSON. Mr. President, I should like to take this opportunity, before I leave the Senate, to thank the distinguished junior Senator from Texas [Mr. DANIEL] for the tribute he just paid to the committee, partly in my name.

As I leave the floor, I wish to say to him that he has been an inspiring figure in the Senate. I shall never forget his fight on the tidelands issue. His leadership was magnificent, and he won his fight.

I shall miss him terribly in the years ahead.

Mr. DANIEL of Texas. I thank the Senator from New Jersey.

#### SINE DIE ADJOURNMENT

Mr. KNOWLAND. Mr. President, in accordance with the order previously entered, I move that the Senate now adjourn sine die.

The motion was agreed to; and (at 7 o'clock and 10 minutes p. m.), under the order previously entered, and as a further mark of respect to the memory of Dwight L. Rogers, late a Representative from the State of Florida, the Senate adjourned sine die.

#### REPORT OF SPECIAL COMMITTEE ON MAIL COVER OF SENATORS AFTER ADJOURNMENT

Under authority of the order of December 2, 1954, and pursuant to Senate Resolution 332, submitted on December 1, 1954, by Mr. KNOWLAND (for himself and Mr. JOHNSON of Texas), Mr. FERGUSON and Mr. GEORGE, as the special committee to investigate the cover of mail of Senators, on December 3, 1954, submitted a report (No. 2510) thereon, which was printed.



# CONFIRMATIONS

Executive nominations confirmed by the Senate December 2 (legislative day of November 29), 1954:

## UNITED NATIONS

REPRESENTATIVES OF THE UNITED STATES OF AMERICA TO THE EIGHTH SESSION OF THE GENERAL CONFERENCE OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

Albert F. Nufer, of New York.  
Samuel M. Brownell, of Connecticut.  
Mrs. Elizabeth E. Heffelfinger, of Minnesota.  
Athelstan F. Spilhaus, of Minnesota.

## ATOMIC ENERGY COMMISSION

Willard Frank Libby, of Illinois, to be a member of the Atomic Energy Commission, for remainder of term of 5 years expiring June 30, 1956.

## DIPLOMATIC AND FOREIGN SERVICE

Following-named persons to be Ambassadors Extraordinary and Plenipotentiary of the United States of America to the countries indicated (recess appointments):

Gerald A. Drew, of California, to Bolivia.  
Robert F. Woodward, of Minnesota, to Costa Rica.  
Robert C. Hill, of New Hampshire, to El Salvador.  
Jack K. McFall, of the District of Columbia, to Finland.  
Norman Armour, of New Jersey, to Republic of Guatemala.  
John E. Peurifoy, of South Carolina, to Thailand.  
Edward T. Wallis, of the District of Columbia, to Union of South Africa.

## FOREIGN OPERATIONS ADMINISTRATION

Christian A. Herter, Jr., of Massachusetts, to be General Counsel, Foreign Operations Administration.

## DEPARTMENT OF DEFENSE

Carter Lane Burgess, of South Carolina, to be Assistant Secretary of Defense.

## DEPARTMENT OF AIR FORCE

David S. Smith, of Connecticut, to be Assistant Secretary of the Air Force.

## DEPARTMENT OF THE NAVY

Rear Adm. Frederic S. Withington, United States Navy, to be Chief of the Bureau of Ordnance, Department of the Navy, for a term of 4 years.

## MISSISSIPPI RIVER COMMISSION

Brig. Gen. William E. Potter, Corps of Engineers, to be a member of the Mississippi River Commission.

Brig. Gen. Charles G. Holle, United States Army, to be a member of the Mississippi River Commission.

## ROUTINE FOREIGN SERVICE

The following-named persons, who were appointed during the last recess of the Senate, to the offices indicated:

*To be consul general of the United States of America*

Lloyd V. Steere, of California.

*To be Foreign Service officers of class 1*

E. Tomlin Bailey, of New Jersey.  
Frederic P. Bartlett, of New York.  
Niles W. Bond, of Massachusetts.  
Bernard Gufier, of Washington.  
James E. Henderson, of California.  
Fred W. Jandrey, of Wisconsin.  
Brewster H. Morris, of Pennsylvania.  
Robert Newbegin, of Massachusetts.

*To be Foreign Service officers of class 1, consul, and secretary in the diplomatic service of the United States of America*

Graham A. Martin, of Florida.

Benson E. L. Timmons III, of the District of Columbia.

*To be Foreign Service officers of class 2*

William Belton, of Oregon.  
William O. Boswell, of Pennsylvania.

*To be Foreign Service officers of class 2*

John H. Burns, of Oklahoma.  
John B. Holt, of Maine.  
Raymond G. Leddy, of New York.  
Gardner E. Palmer, of Michigan.  
Stuart W. Rockwell, of Pennsylvania.  
Roy Richard Rubottom, Jr., of Texas.  
Horace G. Torbert, Jr., of Massachusetts.  
Gerald Warner, of Massachusetts.  
Murat W. Williams, of Virginia.

*To be Foreign Service officers of class 2, consul, and secretary in the diplomatic service of the United States of America*

John J. Haggerty, of Montana.  
Harlan P. Bramble, of Oregon.  
Leo G. Cyr, of Maine.  
W. Clyde Dunn, of North Carolina.  
Richard B. Freund, of Illinois.  
Robert G. Hooker, Jr., of California.  
Paul T. Meyer, of New Jersey.  
H. Gerald Smith, of Virginia.  
Paul R. Sweet, of the District of Columbia.  
William C. Trueheart, of Virginia.  
Robert E. Ward, Jr., of South Carolina.

*To be consul generals of the United States of America*

V. Harwood Blocker, of Texas.  
William J. Porter, of Massachusetts.

*To be Foreign Service officers of class 3*

Robert W. Adams, of Texas.  
Milton Barall, of New York.  
Charles Philip Clock, of California.  
Robert F. Corrigan, of Ohio.  
Francis W. Herron, of Iowa.  
Alfred le S. Jenkins, of Georgia.  
Joseph J. Jova, of New York.  
James C. Lobenstine, of Connecticut.  
William L. Magistretti, of California.  
Oliver M. Marcy, of Massachusetts.  
Lee E. Metcalf, of Texas.  
Joseph J. Montlor, of New York.  
Albert W. Sherer, Jr., of Illinois.  
Garrett H. Soulen, of Texas.  
Miss Margaret Joy Tibbetts, of Maine.

*To be Foreign Service officers of class 3, consul, and secretary in the diplomatic service of the United States of America*

Howard P. Backus, of Virginia.  
Harry K. Baker, of Maryland.  
J. Lawrence Barnard, of the District of Columbia.

Douglas N. Batson, of Mississippi.  
Arthur E. Beach, of the District of Columbia.

James H. Boughton, of Connecticut.

John M. Cates, Jr., of California.  
Wesley Harris Collins, of Mississippi.  
John J. Conroy, of Maryland.  
Edwin M. Cronk, of Virginia.  
Bainbridge C. Davis, of Maryland.  
Ben F. Dixon, of North Carolina.  
Louis Mason Drury, of Maryland.  
Russell Fessenden, of Virginia.  
Edward R. Fried, of Maryland.  
James F. Grady, of Massachusetts.  
Herbert T. Krueger, of California.  
Philip A. Mangano, of Maryland.  
Kyle B. Mitchell, Jr., of Alabama.  
John Howard Moore, of Illinois.  
Denzil L. Page, of California.  
Paul G. Sinderson, of Oklahoma.  
George O. Spencer, of Maryland.  
James W. Swihart, of Massachusetts.  
C. Thayer White, of Texas.

*To be Foreign Service officers of class 4*

William J. Barnsdale, of California.  
Roland K. Beyer, of Wisconsin.  
Curtis F. Jones, of Maine.  
John M. Kavanaugh, of Louisiana.  
Thomas H. Murfin, of Washington.

DeWitt L. Stora, of California.  
Elmer E. Yelton, of Virginia.

*To be Foreign Service officers of class 4 and to be also consul of the United States of America*

Douglass K. Ballentine, of Texas.  
Williams Beal, of Massachusetts.  
William H. Bruns, of the District of Columbia.

William T. Carpenter, Jr., of the District of Columbia.

Philip H. Chadbourn, Jr., of California.  
Arthur D. Foley, of Michigan.  
William G. Gibson, of California.  
Richard M. Herndon, of Pennsylvania.  
Robert B. Hill, of Massachusetts.  
Elmer C. Hulien, of Kentucky.  
John J. Ingersoll, of Illinois.  
Ralph A. Jones, of Pennsylvania.  
David J. S. Manbey, of California.  
David S. McMorris, of Alabama.  
Joseph P. Nagoski, of Tennessee.  
Albert V. Nyren, of Massachusetts.  
David Post, of Pennsylvania.  
Edward P. Prince, of New Hampshire.  
Albert W. Stoffel, of New York.  
Robert W. Stookey, of Illinois.  
Norman E. Warner, of Iowa.  
Harry R. Zerbel, of Colorado.

*To be Foreign Service officers of class 4, consul, and secretary in the diplomatic service of the United States of America*

Harold Aisley, of Maryland.  
Laurin B. Askew, of Tennessee.  
Warren P. Blumberg, of Maryland.  
Tobias J. Boyd, of Pennsylvania.  
Delmar R. Carlson, of Colorado.  
Raymond Cary, Jr., of Missouri.  
Leonard R. Cowles, of Virginia.  
Anthony Cuomo, of California.  
Francis Dejmaj, of Kansas.  
Rockwood H. Foster, of the District of Columbia.

Robert H. Harland, of Illinois.  
Grant V. McClanahan, of Missouri.  
Delbert D. Mehaffy, of Iowa.  
Carvel Painter, of Wisconsin.  
William E. Price, of Arkansas.  
Joseph B. Tisinger III, of Maryland.  
Walter G. Walcavich, of Virginia.

*To be consul of the United States of America*

Daniel J. Meloy, of Maryland.

*To be Foreign Service officer of class 5*

Nicholas G. Andrews, of New Jersey.  
Michael P. Balla, of Pennsylvania.  
Alf E. Bergesen, of New York.  
Robert R. Brungart, of Maryland.  
Frank N. Burnet, of New York.  
Charles T. Butler, Jr., of Indiana.  
Thomas A. Cassilly, of Maryland.  
William R. Crawford, Jr., of Pennsylvania.  
Michael A. Falzone, of New York.  
Richard T. Foote, of West Virginia.  
Robert M. Forcey, of California.  
Richard D. Geppert, of New Jersey.  
Pierre R. Graham, of Illinois.  
Lindsey Grant, of New York.  
William A. Helseth, of Florida.  
Harold L. Henrikson, of Missouri.  
Benjamin C. Hilliard 3d, of West Virginia.  
Borrie I. Hyman, of California.  
William M. Kahmann, of Missouri.  
Lowell Bruce Laingen, of Minnesota.  
Paul Baxter Lanius, Jr., of Colorado.  
John C. Leary, of Massachusetts.  
Philip M. Lindsay, of California.  
Robert J. Martens, of California.  
Kenneth W. Martindale, of Illinois.  
Edward E. Masters, of Ohio.  
Kermit S. Midthun, of Michigan.  
Howard F. Newsom, of the District of Columbia.  
Harry I. Odell, of New York.  
Stephen E. Palmer, Jr., of New York.  
Lloyd M. Rives, of New Jersey.  
Lucian L. Rocke, Jr., of Florida.  
H. Earle Russell, Jr., of Michigan.  
Stanley D. Schiff, of New Jersey.

Edwin E. Segall, of Nebraska.  
 Richard R. Selby, Jr., of New Jersey.  
 John J. Shea, of New York.  
 John W. Simms, of Pennsylvania.  
 Jack M. Smith, Jr., of Georgia.  
 Sidney V. Suhler, of Texas.  
 Harold C. Swope, of Missouri.  
 Robert J. Tepper, of New York.  
 Malcolm Thompson, of Massachusetts.  
 Arthur T. Tienken, of New York.  
 Peter C. Walker, of New York.  
 John T. Wheeler, of Illinois.  
 Merrill A. White, of Massachusetts.

*To be Foreign Service officers of class 5, vice consul of career, and secretary in the diplomatic service of the United States of America*

Mrs. Hazel O. Briggs, of Washington.  
 Miss Eleanor A. Burnett, of Florida.  
 Albert C. Cizauskas, of New York.  
 Mansfield L. Hunt, of Maine.  
 Miss Betty-Jane Jones, of Wisconsin.  
 Edward P. Noziglia, of New York.  
 Michael H. Styles, of Virginia.

*To be Foreign Service officers of class 6, vice consul of career, and secretary in the diplomatic service of the United States of America*

Miss Gloria E. Abiouness, of Virginia.  
 Harvey J. Feldman, of Illinois.  
 Robert H. Flenner, of Pennsylvania.  
 Wilbur W. Hitchcock, of New Jersey.  
 Wallace F. Holbrook, of Massachusetts.  
 Jack Liebhof, of New York.  
 Hugh J. McCall, of New York.  
 Nicholas V. McCausland, of California.  
 Leonardo Neher, of Illinois.  
 Frederick P. Picard III, of Nebraska.

*To be consuls of the United States of America*

William O. Anderson, of Indiana.  
 Robert W. Caldwell, of North Carolina.  
 Paul B. Carr, of California.  
 Justie E. Gist, of Iowa.  
 William B. Snidow, of Virginia.  
 Mrs. C. Carey White, of Arizona.  
 R. Jack Smith, of Virginia.  
 Charles S. Whitehouse, of Rhode Island.

The following-named Foreign Service officers for promotion to the class of career minister of the United States of America:

Elbridge Durbrow, of California.  
 Livingston T. Merchant, of New Jersey.  
 Edward J. Sparks, of New York.  
 Llewellyn E. Thompson, Jr., of Colorado.  
 Robert F. Woodward, of Minnesota.

Thomas J. Maleady, of Massachusetts, to be a consul general of the United States of America.

William M. Rountree, of Maryland, for appointment as a Foreign Service officer of class 1, a consul, and a secretary in the diplomatic service of the United States of America.

The following-named Foreign Service officers for promotion to class 2:

Olcott H. Deming, of Connecticut.  
 Carlos J. Warner, of Maine.

The following-named persons for appointment as Foreign Service officers of class 2, consuls, and secretaries in the diplomatic service of the United States of America:

Edgar P. Allen, of Pennsylvania.  
 Fred L. Hadsel, of Virginia.  
 Joseph S. Henderson, of Virginia.  
 Edward A. Jamison, of Illinois.  
 Allen B. Moreland, of Florida.  
 B. Winfred Ruffner, of Tennessee.  
 Francis T. Williamson, of Virginia.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

Clement E. Conger, of Virginia.  
 Frederick B. Cook, of Virginia.  
 William B. Coolidge, of Virginia.

Henry Dearborn, of New Hampshire.  
 William B. Dunham, of Virginia.  
 Walter H. Dustmann, Jr., of Virginia.  
 James H. Ennis, of Maryland.  
 L. James Falck, of Maryland.  
 George M. Fennemore, of New York.  
 John C. Guthrie, of Virginia.  
 Jack A. Herfurt, of California.  
 John L. Hill, of Wisconsin.  
 Frederick Irving, of Virginia.  
 Clinton E. Knox, of Maryland.  
 Thomas H. Linthicum, of California.  
 David E. Longanecker, of Virginia.  
 John W. McBride, of Virginia.  
 William K. Miller, of Illinois.  
 William F. Niccloy, of New York.  
 Horace J. Nickels, of Maryland.  
 Dana Orwick, of Maryland.  
 Miss Constance Roach, of the District of Columbia.  
 Eddie W. Schodt, of Virginia.  
 Thomas K. Shields, of California.  
 Thomas W. Simons, of the District of Columbia.  
 Erwin Strauss, of the District of Columbia.  
 Jules H. Wayne, of Maryland.  
 William L. S. Williams, of Wisconsin.  
 Roland K. Beyer, of Wisconsin, to be a consul of the United States of America.  
 Philip C. Habib, of California, for promotion to class 4 and to be also a consul of the United States of America.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Seburn E. Baker, of Florida.  
 Mrs. Mildred L. Brockdorff, of Maryland.  
 Miss Roene G. Brooks, of Iowa.  
 Thompson R. Buchanan, of Maryland.  
 Robert A. Clark, Jr., of Oregon.  
 Wendell B. Coote, of Virginia.  
 Miss Frances M. Dallor, of the District of Columbia.

Edmund A. da Silveira, of Virginia.  
 Huston Dixon, of the District of Columbia.  
 Mrs. Alice L. Dunning, of New York.  
 James F. Gorman, of Delaware.  
 John K. Hagemann, of Maryland.  
 Harold E. Hall, of Utah.  
 Miss Betty R. Hanes, of Ohio.  
 Joseph A. Harary, of New York.  
 Miss Margaret P. Hays, of Texas.  
 Adolf B. Horn, Jr., of the District of Columbia.

Morris Kaufman, of New York.  
 John W. Keogh, of Illinois.  
 John L. Kuhn, of Virginia.  
 Frank R. LaMaccchia, of Maryland.  
 Jerome R. Lavalley, of Massachusetts.  
 Neil C. McManus, of New Jersey.  
 John E. Mellor, of Virginia.  
 Robert C. Mudd, of Virginia.  
 George F. Muller, of Maryland.  
 John F. O'Grady, of Massachusetts.  
 John L. Ohmans, of Maryland.  
 William J. Reardon, of New York.  
 George C. Spiegel, of Indiana.  
 Isaac A. Stone, of Massachusetts.  
 Frank J. Wathen, of Texas.  
 Harry J. Wetzork, of Pennsylvania.  
 Miss Mildred M. Yenchius, of Ohio.

The following-named persons for appointment as Foreign Service officers of class 5, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Miss Norma M. Arthur, of New York.  
 Kyle D. Barnes, of Alabama.  
 Mario Calvani, of Maryland.  
 William L. Carr, of Massachusetts.  
 William M. Childs, of Massachusetts.  
 Miss Mary W. Cutler, of the District of Columbia.  
 Edward L. Eberhardt, of Virginia.  
 Guy Ferri, of Pennsylvania.  
 Miss Alice M. Griffith, of Maryland.  
 John O. Hemard, of Louisiana.

Deion L. Hixon, of Maryland.  
 Edward J. Holway, Jr., of Ohio.  
 Miss Frances D. Howell, of North Carolina.  
 John Krizay, of Maryland.  
 James F. Moriarty, of Massachusetts.  
 Albert D. Moscotti, of New Jersey.  
 Miss Jeanne C. Nelson II, of Arizona.  
 J. Stanley Phillips, of Virginia.  
 Robert E. Rosselot, of Virginia.  
 Charles B. Selak, Jr., of Pennsylvania.  
 Andrew Stalder, of New York.  
 Miss Marilyn D. Sworzyn, of the District of Columbia.  
 William D. Toomey, of North Dakota.  
 Rene A. Tron, of New York.  
 August Velletri, of Maryland.  
 Norman M. Werner, of Texas.  
 Miss Eugenia Wolliak, of Connecticut.  
 Amos Yoder, of Virginia.  
 Miss Olga M. Zhivkovitch, of Illinois.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

Dwight R. Ambach, of Rhode Island.  
 George R. Andrews, of Maryland.  
 Robert B. Borin, of Nebraska.  
 Ward Lee Christensen, of Oregon.  
 Douglas McCord Cochran, of Pennsylvania.  
 John J. Crowley, Jr., of West Virginia.  
 Thomas W. Davis, Jr., of California.  
 Thomas De Scisciolo, of New York.  
 Dirk Gleysteen, of Pennsylvania.  
 Miss Bernice A. Goldstein, of Pennsylvania.  
 John J. Harter, of California.  
 John D. Hemenway, of Washington.  
 Robert C. Herber, of Pennsylvania.  
 Miss Irma Lang, of Connecticut.  
 Dudley C. Lunt, Jr., of Delaware.  
 William F. McRory, of the District of Columbia.

Charles R. Moomey, of Nebraska.  
 Miss M. Jane Neubauer, of Oklahoma.  
 A. Gregory Nowakoski, Jr., of New Jersey.  
 Don W. Rogers, Jr., of Ohio.  
 Edward B. Rosenthal, of New York.  
 Thomas J. Scotese, of Pennsylvania.  
 Harry W. Shlaudemann, of California.  
 Miss Nancy L. Snider, of Ohio.  
 Miss Mary Ann Spreckelmeyer, of the District of Columbia.

Arthur M. Stillman, of Illinois.  
 Edward H. Thomas, of New Jersey.  
 Richard N. Tillson, of Massachusetts.  
 Ross P. Titus, of Illinois.  
 John E. Williams, of North Carolina.  
 Eric V. Youngquist, of Illinois.  
 Earle J. Richey, of Kansas, a Foreign Service staff officer, to be a consul of the United States of America.

The following-named Foreign Service Reserve officers to be consuls of the United States of America:

J. Deering Danielson, of Virginia.  
 Walter K. Schwinn, of Connecticut.

John A. Brogan III, of New York, a Foreign Service Reserve officer, to be a vice consul of the United States of America.

**UNITED STATES CIRCUIT JUDGE**

Walter M. Bastian, of the District of Columbia, for the District of Columbia circuit.

**UNITED STATES DISTRICT JUDGES**

Joseph Charles McGarraghy, of the District of Columbia, to be United States district judge for the District of Columbia.

Lamar Cecil, of Texas, to be United States district judge for the eastern district of Texas.

**UNITED STATES ATTORNEYS**

Phil M. McNagny, Jr., of Indiana, to be United States attorney for the northern district of Indiana.

Leon P. Miller, of West Virginia, to be United States attorney for the Virgin Islands.



John R. Morris, of West Virginia, to be United States attorney for the northern district of West Virginia.

#### UNITED STATES MARSHALS

Carlton G. Beall, of Maryland, to be United States marshal for the District of Columbia.  
Russell R. Bell, of West Virginia, to be United States marshal for the southern district of West Virginia.

Irl E. Thomas, of West Virginia, to be United States marshal for the northern district of West Virginia.

#### PUBLIC HEALTH SERVICE

##### APPOINTMENTS IN THE PUBLIC HEALTH SERVICE

###### To be surgeon

Albert V. Myatt.

###### To be senior assistant surgeons

George Roush, Jr.      Albert Sjoerdsma  
Stanley E. Gitlow      Stephen Parks  
David Horwitz      Robert A. Marks, Jr.  
Mahlon J. Shoff

###### To be senior assistant dental surgeons

Jacob D. Subtelny.  
Donald A. Gillespie.

###### To be senior assistant nurse officer

Agnes H. Des Marais.

###### To be senior assistant surgeons, effective date indicated

David P. Michener, September 23, 1954.  
Earle W. Epps, September 23, 1954.  
Eugene H. Guthrie, September 23, 1954.  
James R. Harris, September 23, 1954.  
William V. Treckell, September 23, 1954.  
James L. Wellhouse, September 23, 1954.  
Claude R. Garfield, September 24, 1954.  
Douglas E. Bragdon, September 24, 1954.  
Nicholas Revotskie, September 24, 1954.  
Burton M. Cohen, September 24, 1954.  
Donald R. Chadwick, September 24, 1954.  
Lewis E. Patrie, September 24, 1954.  
Edward L. King, September 24, 1954.  
Eugene W. Ververka, September 24, 1954.  
Harvey P. Wheelwright, September 25, 1954.  
Roy P. Sandidge, Jr., September 27, 1954.  
Edward F. Gorin, September 27, 1954.  
Wallace P. Rowe, September 29, 1954.  
Ergi J. Pesiri, September 29, 1954.  
Hubert C. Burton, September 29, 1954.  
Paul L. Kingsley, November 1, 1954.

###### To be assistant surgeon

Adolph F. Friedman, November 2, 1954.

###### To be senior assistant dental surgeons

Douglas J. Sanders, September 27, 1954.  
Reuben L. Turner, September 28, 1954.  
Fogle Godby, September 28, 1954.  
Harold M. Fullmer, September 29, 1954.  
Bill J. Brady, October 8, 1954.

###### To be assistant dental surgeons

John H. Duffy, November 3, 1954.  
Lawrence E. Van Kirk, Jr., November 3, 1954.

###### To be assistant scientists

Melvin Manis, October 29, 1954.  
Seymour Rubenfeld, November 1, 1954.

###### To be permanent medical directors, effective September 27, 1954

George W. Bolin      Randall B. Haas  
Edward T. Thompson      Charles G. Spicknall  
John E. Dunn, Jr.      Terrence E. Billings  
Leo D. O'Kane      James R. Shaw  
John A. Lewis, Jr.      James Watt  
Jack L. James      Edgar B. Johnwick  
Thomas A. Hathcock,      Francis J. Weber  
Jr.

###### To be senior assistant surgeons, effective July 1, 1954

Warren J. Boyer, Jr.      Joshua L. Weisbrod  
Arden A. Flint, Jr.      William S. Lainhart

###### To be dental directors, effective September 27, 1954

John A. Hammer      Francis A. Arnold, Jr.  
Ray P. Breaux      George E. Waterman

###### To be senior assistant dental surgeons, effective July 1, 1954

Jack D. Robertson.  
Herbert Swerdlow.

###### To be sanitary engineer director, effective September 27, 1954

Duncan A. Holaday.

###### To be sanitary engineer, effective September 1, 1954

William B. Schreeder.

###### To be senior assistant sanitary engineers, effective date indicated

Donald J. Nelson, Jr., July 20, 1954.  
Herbert H. Rogers, July 20, 1954.  
Edwin M. Lamphere, August 30, 1954.

###### To be scientist director, effective date indicated

Mayhew Derryberry, September 27, 1954.

###### To be senior assistant sanitarian, effective date indicated

Harold V. Jordan, Jr., August 15, 1954.

###### To be nurse officers, effective as indicated

Arne B. Beltz, September 27, 1954.  
Dorothy E. Reese, September 27, 1954.

###### To be senior assistant dietitian

Letitia W. Warnock, September 18, 1954.

#### UNITED STATES AIR FORCE

##### TEMPORARY APPOINTMENTS

Brig. Gen. Karl Truesdell, Jr., 1023A, to be major general in the United States Air Force, under the provisions of section 515, Officer Personnel Act of 1947.

The following-named officers for temporary appointment in the United States Air Force under the provisions of section 515, Officer Personnel Act of 1947:

###### To be major generals

Brig. Gen. Matthew Kemp Deichmann, 331A.  
Brig. Gen. Merrill Davis Burnside, 495A.  
Brig. Gen. Daniel Francis Callahan, 579A.  
Brig. Gen. Samuel Russ Harris, Jr., 272A.  
Brig. Gen. John Titcomb Sprague, 300A.  
Brig. Gen. Burton Murdock Hovey, 313A.  
Brig. Gen. William Tell Hefley, 353A.  
Brig. Gen. Jack Weston Wood, 441A.  
Brig. Gen. Harold Huntley Bassett, 445A.  
Brig. Gen. Marshall Stanley Roth, 458A.  
Brig. Gen. George Elston Price, 475A.  
Brig. Gen. Stuart Phillips Wright, 510A.  
Brig. Gen. Frank Arthur Bogart, 585A.  
Brig. Gen. Royden Eugene Beebe, Jr., 587A.  
Brig. Gen. John Belvier Ackerman, 610A.  
Brig. Gen. William Henry Powell, Jr., 684A.  
Brig. Gen. Frederick Jensen Dau, 834A.  
Brig. Gen. Albert Meldrum Kuhfeld, 884A.  
Brig. Gen. Kenneth Paul Bergquist, 1117A.  
Brig. Gen. James Clyde Selser, Jr., 1284A.

###### To be brigadier generals

Col. John Colt Baumont Elliott, 271A.  
Col. Hoyt Leroy Prindle, 334A.  
Col. Robert Loyal Easton, 368A.  
Col. Emmett Felix Yost, 389A.  
Col. Hollingsworth Franklin Gregory, 496A.  
Col. Tom William Scott, 536A.  
Col. Harold Lester Smith, 564A.  
Col. Wendell Washington Bowman, 596A.  
Col. Milton Frederick Summerfelt, 653A.  
Col. Charles Hoffman Pottenger, 661A.  
Col. Clinton William Davies, 778A.  
Col. John Martin Brett, 1016A.  
Col. Richard Thomas King, Jr., 1021A.  
Col. Daniel Edwin Hooks, 1166A.  
Col. Moody Rudolph Tidwell, Jr., 1553A.  
Col. Don Davis Flickinger, 19078A.  
Col. Benjamin Oliver Davis, Jr., 1206A.  
Col. Charles Berton Root, 1258A.  
Col. Victor Raymond Haugen, 1292A.  
Col. Sam Wilkerson Agee, 1346A.  
Col. Edwin Borden Broadhurst, 1350A.

Col. Kenneth Oliver Sanborn, 1363A.  
Col. Don Richard Ostrander, 1343A.  
Col. Fred Murray Dean, 1450A.  
Col. Walter Erath Arnold, 1478A.  
Col. Arthur Jenkins Pierce, 1509A.  
Col. Marcus Fleming Cooper, 1543A.  
Col. Cecil Hampton Childre, 1551A.  
Col. Henry Riggs Sullivan, Jr., 1655A.  
Col. William Emanuel Eubank, Jr., 1741A.  
Col. Beverly Howard Warren, 1768A.  
Col. James Franklin Whisenand, 1945A.

#### REGULAR AIR FORCE

##### APPOINTMENTS IN THE REGULAR AIR FORCE

The following-named officers to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

###### To be major generals

Maj. Gen. George Robert Acheson, 335A.  
Maj. Gen. Samuel Robert Brentnall, 364A.  
Lt. Gen. William Henry Tunner, 374A.  
Maj. Gen. William Evens Hall, 460A.  
Lt. Gen. Donald Leander Putt, 494A.  
Maj. Gen. Norris Brown Harbold, 369A.  
Maj. Gen. Albert Boyd, 424A.  
Maj. Gen. Manuel Jose Asensio, 324A.  
Maj. Gen. John Stewart Mills, 357A.

###### To be brigadier generals

Brig. Gen. William Tell Hefley, 353A.  
Maj. Gen. Howard Graham Bunker, 376A.  
Maj. Gen. Frederic Ernst Glantzberg, 405A.  
Maj. Gen. Dudley Durward Hale, 431A.  
Brig. Gen. Jack Weston Wood, 441A.  
Brig. Gen. Harold Huntley Bassett, 445A.  
Maj. Gen. Roger James Browne, 449A.  
Brig. Gen. Marshall Stanley Roth, 458A.  
Maj. Gen. Harlan Clyde Parks, 472A.  
Brig. Gen. George Elston Price, 475A.  
Maj. Gen. Floyd Bernard Wood, 500A.  
Brig. Gen. Hugh Arthur Parker, 505A.  
Brig. Gen. Stuart Phillips Wright, 510A.  
Maj. Gen. Richard August Grussendorf, 543A.  
Maj. Gen. Thetus Cayce Odom, 554A.  
Maj. Gen. Millard Lewis, 561A.  
Maj. Gen. Sory Smith, 573A.  
Maj. Gen. Lee Bird Washbourne, 810A.  
Brig. Gen. Frederick Jensen Dau, 834A.

The following-named person for reappointment to the active list of the Regular Air Force from the temporary disability retired list, under the provisions of section 407, Public Law 351, 81st Congress (Career Compensation Act of 1949):

###### To be lieutenant colonel

Ellis L. Gottlieb, 2244A.

The following-named persons for appointment in the Regular Air Force in the grades indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947); title II, Public Law 365, 80th Congress (Army-Navy-Public Health Service Medical Officer Procurement Act of 1947); and section 307 (b), Public Law 150, 82d Congress (Air Force Organization Act of 1951):

###### To be majors, United States Air Force (Medical)

Eugene R. K. Leiter, AO511916.  
Lawrence D. Stuart, AO2241414.  
Fletcher H. White, AO369072.

###### To be captains, United States Air Force (Medical)

Harry T. Cerha, O411960.  
Fritz M. G. Holmstrom, AO1906782.

###### To be captains, United States Air Force (Dental)

Dewey M. Metts, Jr., AO660782.  
William T. Stillson, AO2240433.

###### To be first lieutenants, United States Air Force (Medical)

Claude T. Anderson, AO703082.  
Ned B. Chase, Jr.  
James R. Clay.

George P. Collins.  
 Richard C. Dinmore, AO817639.  
 Dale E. Dominy.  
 Charles M. Earley, Jr., AO2261729.  
 George C. Hamill, AO2261357.  
 Paul H. Jacobs, O1324541.  
 Carlton E. Jones, AO2091535.  
 Bruce R. Little.  
 William C. McCormick, AO2261668.  
 Esteban Moreno-Salas, AO3000324.  
 Dwight E. Newton, AO703781.  
 Paul C. Peters, AO2261679.  
 Lawrence W. Pollard, Jr., AO2261681.  
 Jay H. Poppell.  
 Harold C. Sadin.  
 William I. Silvernail, Jr.  
 George G. Susat.  
 James P. Taylor.  
 Kermit Q. Vandenbos, AO4013838.  
 Julian E. Ward, AO1858964.

To be first lieutenant, United States Air Force (Medical Service)

George F. Allen, AO2239083.

The following-named persons for appointment in the Regular Air Force in the grade indicated, with dates of rank to be determined by the Secretary of the Air Force under the provisions of section 506, Public Law 381, 80th Congress (Officer Personnel Act of 1947):

*To be first lieutenants*

Vincent O. Adams, Jr., AO2215252.  
 Dale A. Bittinger, AO2218078.  
 Stuart E. Burt, AO712375.  
 William A. French, AO2217565.  
 Frank W. Harding III, AO1860108.  
 James B. Hughes, AO943116.  
 Eugene D. Levy, AO2232213.  
 George J. Morton, AO2228684.  
 Edwin E. Thompson, AO1859135.  
 Joseph B. Wratten, Jr., AO1857480.

*IN THE NAVY*

The nominations of John M. Alford and 2,922 other officers for promotion or ap-

pointment in the Navy, which were confirmed today, were received by the Senate on November 30, 1954, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that day under the caption "Nominations," beginning with the name of John M. Alford which appears on page 16224 and ending with the name of Forrest E. Zirkle which is shown on page 16230.

*IN THE MARINE CORPS*

The nominations of John W. Burkhardt and 7,106 other officers for promotion or appointment in the Marine Corps, which were confirmed today, were received by the Senate on November 30, 1954, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that day under the caption "Nominations," beginning with the name of John W. Burkhardt, which is shown on page 16230, and ending with the name of Catherine Yoyos, which appears on page 16245.

## EXTENSIONS OF REMARKS

### Budget Must Be Balanced in Peacetime

#### EXTENSION OF REMARKS

OF

#### HON. HENRY C. DWORSHAK

OF IDAHO

IN THE SENATE OF THE UNITED STATES

Thursday, December 2, 1954

Mr. DWORSHAK. Mr. President, I ask unanimous consent to have printed in the RECORD my own remarks, and to include therewith a letter from the Director of the Budget Bureau and a letter from the Commissioner of the United States Civil Service Commission.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

Mr. President, during the campaign of 1952, the Republicans made a solemn pledge to curtail Federal spending and balance the budget as quickly as possible. Although our national preparedness requires spending far in excess of normal requirements, we are not engaged in hot or cold war, and, therefore, should be operating the Federal Government under peacetime conditions. Business and employment have been unusually good for the past 2 years, and there is no emergency which justifies abnormal procedures or policies at this time.

Notwithstanding these conditions, the Federal budget has not been balanced. Now, spokesmen for the administration, including Secretary of the Treasury Humphrey, declare they anticipate the budget will be unbalanced during the next fiscal year. The estimated deficit for this fiscal year is \$4.7 billion, which exceeds the approximately \$3 billion deficit during the preceding fiscal year.

Mr. President, it was generally believed during the past year that both military and economic foreign aid could be reduced materially. Now we hear reports that there is under consideration a proposal to initiate a 10-year so-called Marshall plan for Asiatic countries. Federal spending abroad has maintained high levels during the past 8 years, until now the United States has the largest per capita Federal debt, while the beneficiary countries everywhere have been reducing taxes and cutting down on their indebtedness.

While traveling throughout the State of Idaho the past fall, the most frequent in-

quiry was directed to the need of balancing the Federal budget under peacetime conditions. Naturally, there is some public support for continued and expanded Federal spending, but in most cases, there is an insistent demand for further economy and efficiency in the operation of the Federal Government.

Upon my recent return to the Capital, I felt compelled to write to the Director of the Bureau of the Budget to emphasize the essential need of effecting greater economy and cutting down on Federal expenditures. It is the responsibility of the administration and the Congress to meet this challenge by actually placing the Federal budget in balance so that fiscal and economic preparedness will be a vital segment of our national defense program. To do otherwise is to break faith with the American people.

Under unanimous consent granted to me, I am inserting a letter dealing with this subject which I received on December 1 from Rowland Hughes, Director of the Bureau of the Budget:

EXECUTIVE OFFICE OF THE PRESIDENT,

BUREAU OF THE BUDGET,

Washington, D. C., December 1, 1954.

HON. HENRY DWORSHAK,

United States Senate,

Washington, D. C.

MY DEAR SENATOR DWORSHAK: Thank you very much for your letter of November 16. Your support last year as a member of the Senate Committee on Appropriations, and your offer of continued cooperation during the next session of Congress, are greatly appreciated.

As you know, the goal of our fiscal and budgetary policies has been a reduction in Government spending and taxes, and the achievement of a balanced budget. With the cooperation of the Congress we have thus far been able to make substantial progress toward this goal. Expenditures this year are estimated at nearly \$14 billion below the estimate for last year made by the previous administration. Tax reductions made during 1954 will total \$7.4 billion in the first full year after they are all in effect. The current estimate of the 1955 deficit is \$4.7 billion compared with \$9.4 billion in 1953.

Sharp cuts have been made in both appropriations and unexpended balances—the two barometers of future spending. Furthermore, instructions have recently been sent to the executive departments and agencies directing that they continue their efforts further to reduce their expenditures within the general budgetary objectives of fiscal

soundness, military and economic strength, and the increased welfare of the country. With the continued support of the Congress and of an enlightened public opinion, we are determined to continue our unremitting emphasis on efficiency and economy, and on the elimination of nonessentials from the budget.

We remain fixed in our resolve to reduce Government expenditures as rapidly as our national security and well-being permit and thus to move toward our ultimate goal of a balanced budget. Your expression of support in this task is, indeed, heartening.

Sincerely yours,

ROWLAND HUGHES,

Director.

Mr. President, in the year following the outbreak of fighting in Korea in 1950, more than 600,000 civilian employees were added to the Federal payroll. This administration, since the end of hostilities, has eliminated about one-third of these employees from the payroll, and there has been a consistent downward trend. On October 31, the total civilian personnel in the executive branch was 2,323,029, a reduction of 280,429 from the peak of the Korean campaign on July 31, 1952, when the total figure was 2,603,458. However, the October civilian employment was 361,679 higher than on June 30, 1950, when the hostilities started in Korea.

It is apparent, therefore, that while considerable curtailment has already taken place, the civilian employment is far in excess of the prevailing level just prior to the outbreak of the Korean war. At that time, the total civilian payroll for the preceding fiscal year, 1950, was \$6,670,760,884, while for fiscal year 1954, the payroll amounted to \$9,465,236,239, or an increase of about 42 percent. It is significant that during that 4-year period, the payroll increased 42 percent in dollars as compared with an 18 percent increase numerically.

Under permission granted me, I am inserting a letter which I received on November 27 from Chairman Philip Young, of the United States Civil Service Commission, as follows:

UNITED STATES

CIVIL SERVICE COMMISSION,

Washington, D. C., November 26, 1954.

HON. HENRY DWORSHAK,

United States Senate.

DEAR SENATOR DWORSHAK: I am glad to furnish the information on Federal employment which you requested in your letter of November 16, 1954.